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DESIDERATA

CURIOSA HIBERNICA:

OR

A Select Collection of

STATE PAPERS.

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DESIDERATA CURIOSA HIBERNICA:

OR

A Select Collection of

STATE PAPERS;

CONSISTING OF

ROYAL INSTRUCTIONS, DIRECTIONS, DISPATCHES, and LETTERS.

TO WHICH ARE ADDED,

Some HISTORICAL TRACTS.

The Whole illuſtrating and opening the Political Syſtems of the CHIEF GOVERNORS and GOVERNMENT of IRELAND, during the Reigns of Queen ELIZABETH, JAMES the Firſt, and CHARLES the Firſt.

VOL. I.

Faithfully tranſcribed from their ORIGINALS, or authentick COPIES.

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ORIGINAL

ORIGINAL PAPERS.

A Collection of ſundry things, concerning inſtructions for the earl of Suſſex.

Anno 1559. *Primo Elizabethæ.*

IMPRIMIS. A new ſurvey to be made of all lands, both ſpiritual and temporal; and no leaſes to be made, but upon the beſt ſurvey: the old leaſes for cuſtoms of ports not to be renewed without increaſe.

Leix and Offally, with Iry, Glanmacaliry, and Slewmargie, be diſtributed according to an act of parliament, and the tenants to have the ſame to them and their heirs males.

The exchequer to be reformed according to the order of the exchequer in England, whereof

a book was delivered to the lord deputy, ſigned by the queen's majeſty's hand, and ſubſcribed by the ſeveral officers of the exchequer in England.

May 10, 1559. 2 Eliz.

ONE thouſand pounds for entertainment with fifty horſemen, and fifty footmen; and for increaſe, a yearly allowance of five pounds ſterling.

THE garriſon allowed to be m iiii. iiii xx. viz. horſemen three hundred, twenty ſix footmen, 864 kernes, 32 ports.

THE port corn to be reſerved for diſcharge of victualling the army, to procure habitations of the Engliſh people in Ulſter, to recover Lecale, Newry, and Carlingford, from the poſſeſſion of the Scots; and to recompenſe Sir Nicholas Bagnall for his intereſt.

THAT M'Carty More may be reduced to an eſtate after the Engliſh manner, as Thomond and Clanrickard are.

ANNO 1560. 2 Eliz.

THE earl of Suſſex made lieutenant of Ireland. Authority to build caſtles, &c. in Leix and Offally. To people the countries, ſo as no eſtate be made larger to any but to them, and the heirs males of their body. A full pay was made by the earl of Suſſex, the 26th of May, 1560.

AUTHO-

AUTHORITY for the order of the North, that Sourley-boy the Scot may be admitted tenant of ſuch lands, as he claims by inheritance, with reparations of ſervice.

THAT Shane O'Neil be reduced to obedience by all manner of means, as well by force, if need be, as otherwiſe.

THAT the baron of Dungannon, if it ſhall be found meet by the lord lieutenant, may be inveſted in the earldom of Tyrone.

THAT the O'Brien's, adverſaries to the earl of Thomond, may be apprehended.

THE clerk of the council made ſecretary.

THAT in the next parliament, a ſtate be there made, for avoiding of frauds of uſes, according to a ſtatute made the 28th of Henry the 8th.

THAT upon information given of the diſpoſitions of the Iriſh captains, to ſurrender their lands, they may have eſtates in tail, by letters patents under the great ſeal of England, to them, and the heirs male of their body.

The Combination of GEROT, late earl of Deſmond, attainted of high treaſon, 1578.

WHERE the right honourable Gerot, earl of Deſmond, hath aſſembled us his kinſmen, followers, friends, and ſervants, about him, after his coming out of Dublin, and made us privy, as well to ſuch articles, as was by the lord deputy and council delivered unto him the 8th of July 1574, to be performed; as alſo his anſwers to the ſaid articles; which anſwers we find as reaſonable, as we with one accord do council and adviſe the ſaid earl not to conſent nor yield to any more than in his ſaid anſwer is already granted. And further, the ſaid earl declared unto us, that if he do not yield preſently to the performance of the ſame articles, and put in his pledges for obſervation thereof, that then the lord deputy will bend his force, and make war againſt him. We the perſons underwritten, do adviſe and council the ſaid earl to defend himſelf from the violence of the ſaid lord deputy, that doth aſk as unreaſonable a demand, as in the ſaid articles is contained; and for to defend and ſtick to this our advice and council, we renounce God, if we do ſpare life, lands, and goods, but will be aiding, helping, and aſſiſting the ſaid earl, to maintain and defend this our advice againſt the ſaid lord deputy, or

any

any other that will covet the ſaid earl's inheritance.

In witneſs, that this is our council to the ſaid earl, we have hereunto put our hands, the 18th of July, 1574.

Gerot Deſmond.
Thomas Lykeſnae.
John of Deſmond.
John Fitz-James.
Rory M'Sheaghe.
Moroughe O'Brien.
Moriertagh M'Brien, of Louhorthe Ta, R. E. F. D. K. B.
Theobald Burke.
Donell O'Brien.
Richard Bourke.
John Browne.
Daniel M'Canna, of Drombrame.
James Ruſſel.
Richard Fitz-Edmond.
Gerald Ulick.
M'Thomas of Baillun-carrighe.
Ulick Burke.
John Fitz-William, of Rarnedurhe.
Teighe O'Sheine, of Chairreyleye.

A Diſcourſe of Ireland, ſent to Sir Robert Cecill, her majeſty's principal ſecretary, from Sir George Carey, 1601.

Among the great affairs of eſtate, this kingdom of Ireland is not of leaſt account, being the ſecond kingdom over which her majeſty weareth a crown; and therefore, as the ſecond jewel to be preſerved, and as near

as may be to be made a help unto England; but ſince (as the ſtate now ſtandeth) ſo good an expectation is not to be looked for, yet in wiſdom, is to be endeavoured to make it as little chargeable to the crown of England, as may be. The common opinion received, and by the rebels publiſhed to be the principal motives of their late and former rebellions, ſince her majeſty's reign, is ſuppoſed to be religion; but therein, let no man be deceived, for ambition only is the true and undoubted cauſe that moves the rebels, and others of this realm, to take arms; though the Engliſh race, and the Iriſh have different ends. The Engliſh, to recover again the ſupreme government, in bearing her majeſty's ſword by one of themſelves, as for many years and ages they have done, and generally ſtriving to have the captainries of their countries, like the Palatines, in their own hands, not admitting of ſheriffs, or other officers of juſtice, to reſtrain their barbarous extortions, or to overlook them: thus far, only, the ambition of the Engliſh reacheth; for to be ſubjects to any other prince than to her majeſty, or her ſucceſſors, no man can think them ſo ſottiſh as to deſire it; and to be in any other quality (than in the ſtate of a ſubject) they cannot be ſo fooliſh as to propound any hope that the Iriſh rebels aim at a higher mark; ſtill retaining in memory, that their anceſtors have been monarchs, and provincial kings of this land; and therefore, to recover their former greatneſs, they kick at the government,

and

and enter into rebellion, loſing no times of advantage, or refuſing the leaſt foreign aid, that may (by troubling the ſtate) advance their deſires, hoping in time, by ſtrong hand, to regain the crown of Ireland to themſelves. Theſe ſeveral ambitious ſwellings in the hearts of the Engliſh and Iriſh rebels, which in the end, if their deſires were gained, would prove the ruin of the Engliſh, which yet they foreſee not, are the true grounds of their continual rebellions; and to draw multitudes of the meaner ſort of this kingdom unto them, they maſk their ambition with religion, making the ſame their ſtalking horſe, to allure the vulgar to crown their fortunes: and now having theſe later years, not without great loſs unto themſelves, tried the uttermoſt of their forces, and find it to be a work impoſſible, by their own ſwords, to compaſs their ſeveral ends; yet, out of two hopes conceived, they remain in their former obſtinacy, neither of which ſucceeding (as they expect) this kingdom will be more out of frame, than hitherto it hath been; the one is the coming of Spaniards to their aid, the other whoſe days the Lord multiply *ad infinitum*, is her majeſty's deceaſe: either of theſe will make all this that is paſt, but a ſhadow or nothing in reſpect of the troubles that will follow. But as for the latter, being a thing by good ſubjects not dreamed of, is purpoſely omitted, intending only to ſpeak of the firſt, which is very worthy of conſideration. By all intelligencies that can be learned,

they do perſuade themſelves, that this ſummer the king of Spain will ſend them ſuccours, which, if he do, no part of the kingdom, no not the city, will be free from rebellion: as well in regard of rebellion, they have to that nation, and to their religion, as to the inveterate malice they have to our religion, and us, there is no queſtion; but the queen will be able to expel the ſtranger, and ſuppreſs them. But the doing of ſo great a work, will coſt England a greater price than Ireland is worth, and bring the ſame into ſuch a conſumption, as many years will not reſtore it to its former wealth. To avoid this preſent miſchief, one of two ways muſt be taken, either a peace with Spain, or a pacification with the rebels here; and both of them, in wiſe mens opinions, eaſy to be wrought, if they were attempted: the firſt, upon indifferent terms, he being ſo great a monarch, and this heretofore deſired by himſelf, is far from diſhonour; and the other may be ſo handled, as it may be no leſs honourable. The rebels are yet wavering, fearing their own ruin, if Spain fail them; and therefore, the time now fits to take the occaſion to appeaſe them. Upon Tyrone, only, depends all the miſchief; and ſome do report, that he would be glad of her majeſty's mercy, and ſo he may be wrought (if his eſtate be ſo weak, as is reported) as that he ſhould ſeek the ſame, whereby the queen's honour, which is moſt religiouſly to be regarded, is not only preſerved, but increaſed by the abundance of her

mercy

mercy to ſo infamous an offender. If he were reduced, the charges which the coming of Spaniards will put the queen unto, were eaſed, for then the cauſe of their coming into Ireland, is loſt; but if they come, then, the queſtion is, whether he may be entreated to be a ſubject, aiming as he doth to wear a crown, and living in ſo great hope of the ſame, by the Spaniſh aid. Farther, 'tis moſt certain, if the king of Spain ſend no men, and do but ſupply them from time to time (as of late he did) with money and ammunitions, that the Iriſh being greedy of wealth (as long as money may get men within this poor nation of Ireland, they cannot want) will remain in rebellion, to wear out the time, until that fearful day before-mentioned. Wherefore, to prevent the danger threatened, either a peace with Spain, or a pacification here, were fit to be taken; whereof, the firſt is moſt expedient, moſt honourable, and eaſieſt; but if the latter ſhall be better allowed of, then the ſureſt way to effect it, is a ſharp proſecution, before his aid can come, which will enforce him unto it. The ſcope and end which all men conceive, is aimed at in England (both by her majeſty, and her council) is chiefly reſpective to the preſent, for the diminution of the exceſſive charges which Ireland now coſteth, and not to continue the exhauſting of treaſure, and loſs of men, to eaſe future times, but to let that time provide for itſelf; for we may be aſſured, that all the coſt which ſhall be now beſtowed upon this realm,

realm, will be then meerly loſt. Buſy heads, maligners of the preſent, and thoſe eſpecially which can leaſt judge of matters of eſtate; or thoſe of Engliſh birth, that have inheritance in Ireland, and ſuch as live by the war, will repine at any pacification, but by the ſword; the one, becauſe they malice the ſtate; and the other too deſirous to make it exemplary: the one of them hoping by the ſame, to live more quiet in after times; and the other to have crowns to maintain them for the preſent: but none of them all reſpecting the loſs of men and money, that muſt be conſumed in finiſhing the work. Kings, and bodies politicks, are to do that which is moſt requiſite, for the benefit of their eſtates, and not to give their councils according to mens particular fancies. The king of France is a good patron to be followed; in him it was accounted wiſdom, and among wiſe-men not thought diſhonourable, to buy in his rebels with offices and aſſignations, grounding evermore, for a maxim, *qui all proffit, a l'honneur.* How can it then be reputed diſhonour in the queen to give mercy only: but if her majeſty's indignation againſt the arch-traytor Tyrone, be ſo deeply rooted in her royal breaſt, as that it cannot ſort with her princely greatneſs, to leave ſo wicked an offender unpuniſhed; yet, to renew amity with a king, is both honourable and chriſtian-like, the doing whereof, will, in a ſhort time, enforce theſe beggarly traitors to run deſperate fortunes to their preſent

ſent ruin; whereas, to the contrary, ſo long as Spain ſhall relieve them with men or money only, there is no hope to ſee an end of this rebellion; but every day will relapſe from ill to worſe. How you are perſuaded in England of the coming of Spaniards into Ireland, is not known unto us; but we, here, (beſides the daily rumours ſpread amongſt the Iriſh) have intelligence by merchants of this country, that their coming is reported in Spain, and in reaſon there is greater cauſe to believe it now that the king will ſend them ſuccours, than before, becauſe Tyrone's ſon is as a pledge in Spain, before which time, the little ammunition that came thence, was ſent by the clergy; but the laſt, which was a great proportion, and with it money, was ſent from the king, and with it particular preſents of chains and jewels, to Tyrone and O'Donnel, and letters of aſſurance, that he would never fail them with aſſiſtance to their contentment; and for the ſpeedy accompliſhing of that promiſe, the Spaniſh biſhop, Fr. Oviedo, called the archbiſhop of Dublin, is purpoſely gone to negotiate and effect the ſame, taking ſome oaths upon the ſacrament, publickly to return with forces before Lamas next; and for the better aſſuring of the Iriſh, that he meaneth to deal faithfully with them, he hath left in Ulſter, his ſervants, of moſt truſt, behind him, all his houſhold ſtuff, which is ſaid to be very rich, and his plate, valued, by them that ſaw it, at 2000 l. Theſe circumſtances duly conſidered, there is little

little doubt but the rebels ſhall have aid, which will breed a long and a chargeable war, if it be not timely prevented by one of the two ways before-mentioned.

A brief memorial of inſtructions for Mr. Edward Tremaine, being ſent to the lord deputy of Ireland by the lord treaſurer, 1573.

FIRST, you ſhall require, that the ſaid lord deputy will advertiſe her majeſty, either by letter, or for more certainty, communicate unto you at good length, what was and may be the cauſes of his ſo earneſt deſire to have come over into England, and thereof to bring a full declaration, both in writing and otherwiſe, with all ſuch other things as ſhall ſeem neceſſary to be anſwered from thence upon your return.

To underſtand and bring report what are the ordinary charges at this preſent in Ireland, and what numbers alſo be in pay, and where the ſame are beſtowed in ſervice, and therewith to certify when any numbers were diſcharged, and at what times the ſame rooms have been recharged, and what be the numbers now exceeding your numbers appointed in March was twelve months, to remain.

To underſtand what money hath been received of the revenues of the impoſt of wines, ſince

ſince Michaelmas laſt, and what is behind thereof; and if this thing concerning the treaſure and money cannot be ſpeedily advertiſed, you, Edward Tremaine, ſhall not make ſtay of your return for that, but move the deputy to make certificate thereof with ſpeed.

To underſtand of the lord deputy and preſident of Munſter, how the eſtate of that country of Munſter now reſteth, and how it is to be further governed, and kept in quietneſs.

Item. What is done with the earl of Deſmond and his brother ſir John, and what is meant to be done further, and to remember to procure order how the creditors of the ſaid earl, and his brother here in England, may be anſwered their debts.

To underſtand alſo the ſtate of Connaught; how the earl of Clanrickard is ſtayed, and what hope there is of his loyalty, and how his ſons do behave themſelves, and what is become of the Scots that ſerved there; and ſo particularly of the eſtate of that country, and of the caſtles of Athlone and Roſcommon: and you ſhall bring report of the earl of Thomond, how he behaveth himſelf.

You ſhall alſo bring report of the matter of the ſpoil committed againſt Sir Barnaby Fitzpatrick, and the taking away his wife, his daughter, and others, and upon what occaſions the outrage was committed, and who were parties and acceſſaries thereto, and what is done for the puniſhment thereof; you ſhall alſo bring report

report of the Cavenagh's and Birne's, in Francis Agarde's charge.

You ſhall alſo inform the lord deputy, if our couſin, the earl of Eſſex, offer to paſs into the north of Ulſter, and that he mean to carry thither the number of 2000 Engliſh perſons, able to ſerve and inhabit ſuch parts of Clanny-boy, Gleme, and the Route, as by juſtice we may authorize him to poſſeſs; and becauſe it is very likely, that upon the noiſe and report hereof, the rebels, and other evil-diſpoſed perſons in Ulſter, and other parts of Ireland, will ſhew their diſcontention by ſome attempts of diſorders, the deputy and council ſhall not only be careful, to cauſe our Engliſh pale towards Ulſter to be preſently defended, and a good guard to be ſet upon other places, but alſo they ſhall cauſe to be notified, that his coming is not to offend any Iriſh that will become a good and obedient ſubject, but only to withſtand the incurſions of the Scots, who have ſo of late entered into that realm, throughout, and by the ſaid north parts of Ulſter, by invading and overrunning of Connaught, entering into Munſter, and ſpoiling ſome part on the eaſt ſide of Shannon, as the like hath not been ſeen in any like time, nor may not be ſuffered: and therefore all good means ſhall be uſed to ſtay the lewd attempts of the Iriſh, in all places which are like to be ſtirred by colour of the reports of this the earl's coming over: and of this the earl's enterprize, the deputy ſhall inform us what

what is meet to be done for the good atchieving of ſo honourable a ſervice.

And whereas the ſpecial matter that ſeemeth to have moved our deputy to have come over unto us, was for the appeaſing of the ſtirs in Leix by the O Moor's, that is thought, that by the means of concurrency of the earls of Kildare and Ormond with her majeſty's, now being there in with wages, theſe ſtirs ſhould not require any increaſe of charges, eſpecially to increaſe the number of ſoldiers, the ſaid rebels and O Moors being but a ſmall ſtrength or number; and when the earl of Eſſex ſhall be come into Ireland with his numbers, whereof we think the greater part ſhall be there before the 20th of Auguſt. It is to be thought that our bands now in wages, and the numbers coming with the ſaid earl, ſhall be ſufficient to withſtand any attempt of the Iriſh, ſo as alſo, if the ſaid deputy ſhall have need to increaſe the bands for any exploit for any ſhort time, he may have from the ſaid earl the aſſiſtance of 200 or 300 of his forces, or more, giving them like wages as other of our garriſon have, which we ſhall well allow of; and conſidering that our ſaid couſin ſhall not be able to come with his forces before Auguſt, our deputy ſhall do very well to conſider how in the mean time thoſe parts in Ulſter near Knockfergus, as namely, the Ardes, and the reſt of the countries where corn is ſown, might be preſerved from the ſpoil of the rebels, that at the coming of the power of the

the ſaid earl they may be relieved with the corn growing there.

You ſhall alſo require the lord deputy to advertiſe us upon what occaſions he gave commiſſion to Sir John Parrott to ſell the ſhip and goods of Marulls, which arrived in theſe parts, the ſame being French, and the goods ſome belonging unto Spaniards, ſome to the Portugalls, ſome to Italians, and ſome to Flemings: for that Sir John Parrott, being charged by our council for his ſo doing, hath ſent, in his excuſe, a copy of his commiſſion from the deputy, by which authority he made the ſale; whereof we marvel, ſeeing the ſame agreeth not with proceedings here in like caſes: and particularly you may declare unto him, neither had he any direction from hence for that purpoſe.

Finally, the deputy ſhall advertiſe his mind in all matters meet to receive anſwer from hence, with aſſurance of the faithfulneſs of the meſſenger Edward Fremayne.

Inſtructions

Inſtructions for Sir Henry Walloppe, Knt. under treaſurer at war in her majeſty's realm of Ireland; Sir Valentine Brown, Knt. and the reſt of the commiſſioners appointed to take a ſurvey of the lands of ſuch as have rebelled within theſe four years in the ſaid realm, and have no lawful pardons for the ſaid lands.

IMPRIMIS. To inquire who were the occupiers of any lands reputed to have been the rebels, what eſtate they had therein, either by leaſe, or at will.

Item. In what pariſh, towns, baronies, and ſhires the ſame lands do lie.

Item. What profit of victuals, rents, in money, corporal ſervices, or otherwiſe, they yielded. What was the yearly value of their victuals, or their ſervices. How the tenants commonly were burthened with coyne or livery, coſher or cudda, or ſuch like actions, and what ordinary charge they had yearly or quarterly of Gallyglaſs.

Item. To enquire of the quantity of their lands occupied, by eſtimation, of plow-lands or acres; and in caſe doubtful of the eſtimation, to meaſure the tillage, meadow, and paſture, how much was uſed to tillage, to paſture, and meadow, how much was accounted bog and waſte.

 Item.

Item. To inquire how many ploughs the tenants did occupy, and how many ſervants and garrons they uſed for their ploughs : how much corn did increaſe thereof, *communibus annis*, and what kinds. How they did ſell their corn, if they had any to ſpare, and for what price.

Item. How many cattle and beſtials were maintained of all ſorts in time of peace, as horſes, mares, ſundry kind, ſheep, hogs, goats, or other kind.

Item. What woods of timber and other underwoods are growing on the ſame lands, and how near the timber-woods be to any ſea-port or navigable river.

Item. What minerals are known to be growing in the ſaid lands, and whether there have been any profits made upon any of the ſame, and what did follow thereof.

Item. How many people the tenants did commonly keep in their ſeveral houſholds with meat and drink.

Item. To make a deſcription of the ſituation of the ſaid lands, and namely, of the caſtles, or houſes of ſtrength, with their lands ; how they do but and bound, and upon whoſe lands ; and to conſider what caſtles, or houſes of ſtrength, are meet to be reſerved to the queen's majeſty's own uſe, in reſpect of their ſituations for the government of the country, and thoſe to be in the cuſtody of conſtables, with reſervation of ſome victuals for the maintenance of the guard, if any ſhall be.

Item.

Item. If the caſtles or houſes be decayed, to inquire how long ſince they have been in decay, and by whom, or what means, they have been decayed or defaced, and whether it be neceſſary to have them repaired, and with what charge it may be done.

Item. To inquire of all kind of liberties and royalties belonging to the ſaid caſtles and ſeigniories; what ſervices are done by any other to the ſame, and how ſuch liberties have been granted.

And although all liberties are commonly by meſſuage in the ſubjects hands hurtful to the commonwealth, yet to inquire whether her majeſty may not do well to review liberties of leets and law-days, without continuing power to have writs returned, or to have *bona fellonum*, or wrecks, or ſuch like.

Item. To enquire what patronages of colleges, or ſuch like, as parſonages and vicarages, did belong to any rebels, with the value thereof, and who are the incumbents, or otherwiſe, how the profits thereof are beſtowed or uſed.

Item. To meaſure the demeans of all rebels lands occupied by themſelves, or in their own manuance, without taking yearly rents or profits, and to reduce the acres to plough lands, according to the cuſtom of the country, and to value the acres rateably according to the ſeveral accounts of perches, the meaſuring whereof differing in many places, do make the quantity of the acres and the plough-lands alſo dif-

 fer;

fer; and thereof in the valuation of the lands to anſwer yearly rents, there would be had conſideration.

Item. To conſider, that where her majeſty is to diſpoſe the lands to her good ſubjects and ſervants, with reſervation of rents by years, or for three lives, or in ſpecial fee tail, there would be regard had, that for the firſt five or ſeven years the rents ſhould be ſmall, and to increaſe more at ten or fourteen years.

Item. To enquire who had the occupation and the taking the profits of any of the lands eſcheated to her majeſty, by reaſon of the rebellion, and by what warrants the ſaid profits have been taken; and if any have had *cuſtodiam* of the ſame, to make entries thereof in the ſurveys, whereby her majeſty may be anſwered that which ſhall be due unto her; and the like to be done of thoſe that have intruded themſelves without a warrant, ſo as they may be charged with the receipt of the profits.

Orders to be obſerved by the juſtices of peace within their ſeveral limits throughout the realm.

THAT they, or three of them at the leaſt, whereof one of the *quorum*, ſhall hold quarter-ſeſſions four times in the year, within their ſeveral ſhires, according to the laws and courſe uſed in England; the ſame ſeſſions to be duly ſummoned, appearance of gentlemen and freeholders

freeholders to ſerve the queen upon enquiries, to be ſtrictly looked into, and the fault to be ſecurely puniſhed by amerciament or otherwiſe, without reſpect of perſons.

That in the charge to be given to the grand jury it be remembered, beſides ordinary matters of inquiſition, to enquire eſpecially of all penalties of ſtatutes forfeited to her majeſty, of all forfeitures of recognizances, of contempts and breach of her majeſty's peace, of winking at offenders and malefactors, of all confederacies and interparlees with traitors or notorious known thieves, and of all other things tending either to the maintenance of her majeſty's peace and laws in the country, or otherwiſe regarding her highneſs's profit or general ſervice, in what ſort ſoever.

That the juſtices and ſheriff ſhall cauſe all the inhabitants within the ſhire, between the age of ſixteen and ſeventy, as well men as women, to be booked, and ſworn to their loyalty to her majeſty; and ſuch as ſhall refuſe, to be committed to the next gaol, there to remain until they ſhall perform the ſame. That in the charge of every ſeſſion, this be eſpecially inquired of, and the offenders puniſhed.

That they have a general muſter twice every year in the ſeveral ſhires, and therein to foreſee chiefly that every man be furniſhed with armour and weapons according to the rate of his tenure, and as the law limiteth, that the numbers of the able men within every barony may

be exactly viewed and ſet down, and the ſame certified to the lord deputy, or other governor for the time being; to the end her majeſty may know what ſtrength ſhe hath both of men and weapons in every ſhire.

THAT there be butts made in every pariſh, according to the uſage of England, for the exerciſing of archers; and common pounds in like ſort, the ſame to be made and kept in repair at the charges of the pariſh, upon pain of, *&c.*

THAT two high conſtables be choſen within every barony, they to be ſubſtantial gentlemen, and to be ſworn by the juſtices to her majeſty for their loyalty; and they to execute their office in all things according to the laws and ordinances eſtabliſhed in England; for the which they ſhall have printed books ſent unto them, the better to inſtruct them in their charge.

THAT two petty conſtables be choſen and ſworn within every barony, and they to apprehend and ſend to the gaol idle perſons, ſpies, carraghes, barnes, falſe meſſengers, travelling to and fro, perſons diſloyal, or ſo ſuſpected, and to ſee ſtocks be made, night watches kept, her majeſty's peace maintained, and to do all other things which appertain to their office, according to the laws and uſage of England.

THAT there be two overſeers and ſearchers choſen and ſworn in every pariſh by the high conſtable, they to have authority to ſearch any ſuſpected perſons houſes within their pariſh for beef, mutton, pork or ſwine killed; and if

any,

any, not being gentlemen of good account in that pariſh, ſhall kill any ſuch beaſt or cattle as is aforeſaid, without making the ſaid overſeers privy to the ſame, and ſhew not the mark to them, or one of them, before they kill it, the offender to be impriſoned and fined at the diſcretion of the juſtices in the next quarter-ſeſſions: this article to be enquired upon at every ſeſſion, and the offenders to be puniſhed as aforeſaid.

THAT the juſtices of the peace do cauſe the high conſtables, and petty conſtables and overſeers, to ſee that all manner of cattle, ſtud mares, ſheep and lambs, be marked with iron marks or ear-mark, within ten weeks after warning given by proclamation, to be made in the good towns within the ſhire, upon pain that every offender herein ſhall forfeit his cattle, ſtud mares, ſheep or lambs, that ſhall be found ſo unmarked, the moiety whereof to be to the uſe of him that will give information, and the other moiety to the poor of the pariſh.

THE juſtices of peace to cauſe the contents of this article to be publiſhed by proclamation, according to the limitation of the ſaid article.

These articles to be left with the *cuſtos rotulorum*.

JOHN PERROT.

Inſtructions for the Lord Gray, in July 1580, Eliz.

Whereas at the late humble requeſt of our ſervant   ſerving preſently in that our realm as juſtice, we are moved to diſburthen him of that government committed unto him, and to ſend thither another to ſupply his place, in reſpect of the good opinion we have conceived, not only of your wiſdom and judgment as well in martial as civil affairs, but alſo of your integrity; we have made choice of you to take that charge upon you, not doubting but the good effects of your government there will fully anſwer our expectations and hope, and though it ſhall not be very needful to give long inſtructions for the managing of the affairs of that realm to one of your ſufficiency, yet we have thought it good to deliver unto you (before you repair over) a ſhort memorial of theſe points following:

First, For the better direction of youſelf in that government, you ſhall duly obſerve ſuch inſtructions as are contained in the late orders annexed to a certain eſtabliſhment ſet down by us, as alſo ſuch other inſtructions as have been given to ſuch as lately had the government of that realm, and are thought meet to have continuance ſtill, of all which you ſhall have the true copies delivered by one of our ſecretaries.

And

And whereas our ſubjects of that country birth, have, as we are informed, conceived, that we have determination as it were to root them out, with an intention to place there our ſubjects born in this realm, we would have you ſeek by all the means you can, to remove that falſe impreſſion wrought in them by certain ſeditious and ill diſpoſed perſons, that would be glad to work a divorce between us and our ſubjects there: whereas in truth we being intereſted alike in our ſubjects of both theſe our realms, do carry like affection to them both, unleſs through their unnatural and undutiful dealing, and by having intelligence with foreign princes, as lately certain of them have had, they ſhall give juſt cauſe to the contrary.

And for that it is often ſeen, that where garriſons are, many violences and outrages are offered to the inhabitants where the ſaid garriſons are placed, our pleaſure is, as we aſſure ourſelves you will, you have an eſpecial care to ſee that by the impreſſion and inſolence of the ſaid ſoldiers (where they ſhall be placed) our good ſubjects in that realm may not be alienated in devotion from us, by their miſbehaviour.

And to the end that our care in this point may be notified to our good ſubjects in that our realm, we think it meet, that the ſame ſhould be made known unto them by ſome proclamation to be made by you publiſhed in that behalf, and to ſee the offenders ſeverely puniſhed, without ſparing the captain or head officers, in caſe they ſhall be found faulty.

And

And whereas we find the wars in that country and realm both chargeable to us and burthenſome to our ſubjects there, we are very deſirous to ſee a good and ſhort end of them, and therefore we think it very expedient, that as ſoon as may be after your arrival in that realm, you make your repair into the province of Munſter, and there confer with the juſtice and ſuch other of our councellors as you ſhall underſtand to be beſt experienced in the affairs there, in what ſort the rebels may be moſt effectually proſecuted, and accordingly to diſpoſe and employ not only ſuch numbers of ſoldiers as are preſently ſent over from hence, but alſo thoſe that are already there. And for that the ſaid juſtice in reſpect to his ſkill in martial affairs, and the experience he hath had in the late ſervice will be a good aſſiſtance unto you; as alſo for that you may be otherwiſe upon ſome neceſſary occaſion called from thence, and employed in ſome other places of the realm, we are pleaſed that he ſhall continue there until the preſent war ſhall be ended, and to ſupply the place of a councellor in that realm, to whom we think meet you give ſuch allowance during his employment there, as by you and the reſt of the council of that realm ſhall be thought meet.

And in caſe the wars in Munſter ſhall not be ended before Allhollontide next, foraſmuch as after that time (as we are informed) there can be no great matter attempted to the annoyance of the rebels, whereby the number of ſoldiers preſently

preſently there, and that to be ſent over from hence thence in the winter to no great purpoſe, but be chargeable to us and burthenſome to the country, you ſhall in this caſe, with the advice of our council there, diſcharge in the numbers as by you ſhall be thought meet, retaining notwithſtanding, ſo many as being placed in garriſon there may be ſufficient to keep the rebels from anoying and ſpoiling our good ſubjects; foreſeeing that in the ſaid diſcharge, you caſhier none of the captains [illegible] of our garriſons placed in realm before this rebellion, nor others who for their long ſervice in that realm have been lately appointed to change as captains, for that otherways we ſhould have been driven to allow them penſions, beſides it would be cared for that the armours of thoſe that ſhall be diſcharged, ſhould be retained and preſerved for the uſe of theſe countries for which they were levied.

Amongst other things, whereas by experience it hath been ſeen that our governors heretofore there by our eaſy and common granting of pardons and protections to notorious tranſgreſſors of our laws, have thereby boldneſs in the offenders and ſubjects of that realm, our pleaſure is, that according to ſuch inſtructions as heretofore have been given to ſome of our ſaid governors, you have an eſpecial care to grant neither pardon nor protection, but upon ſome great apparent cauſe of importance tending

tending to the advancement of our public ſervice in that realm, and in caſe any pardon upon ſome ſpecial cauſe ſhall be granted, we think meet, that the fact for which the pardon ſhall be granted be expreſſed, and not run in general terms as heretofore hath been accuſtomed.

A memorial for Sir JOHN PERROT, Kt. appointed by her majeſty to ſupply the place of her highneſſes deputy in Ireland, delivered unto him by the lords of her moſt honourable privy council.

IMPRIMIS. To confer with the council there how her majeſty's charges of victualling of the army may be eaſed, eſpecially, that there may be no charge of proviſion and tranſportation out of this realm of ſuch proviſions as otherwiſe may be made in reſpect of the charge of tranſportation, and the adventure to certify what reſolution may be taken herein. For the better training up youth in that realm in the knowledge of God, and good learning, it were neceſſary that ſome college were erected, for which purpoſe conſideration is to be had how St. Patrick's in Dublin, and the revenue belonging to the ſame, may be made to ſerve for that purpoſe, as it hath been heretofore intended; as alſo to conſider how by parliament ſome contribution may be given out of every dioceſs, to be charged upon the leaſes of impropriated perſonages;

ſonages; ſuch alſo as are inclined to civility would be moved to yield voluntarily, and with good contentment, ſome yearly contribution to be charged upon their lands, whereby readers and inſtructors of youth might have convenient ſalaries.

And whereas it is found requiſite, that for the better accompliſhing of ſuch things as are like to be propounded in the parliament, intended that there ſhould be ſome new barons, it is therefore thought meet, that there ſhould be conference with the council and others of beſt judgment there, who ſhall be fit both for livelyhood, wiſdom and loyalty to be called to that eſtate and degree, and to certify them hither, to the end you may receive from hence ſome authority for their creation.

Amongst other things that are to be propoſed for the next parliament to be held there, an act is to be drawn for the renewing of the impoſt, being about ten years paſt expired, which may have continuance for the ſpace of   years: and touching the levying and getting in of ſuch debts and arrears as be due in that realm to her majeſty; for which purpoſe a ſpecial commiſſion is directed unto you and certain others.

We think it very expedient for the better performance of that which is required, that both you and the reſt of the commiſſioners do follow, as near as may be, thoſe ways and means preſcribed and thought meet in the order annexed

annexed to the eſtabliſhment, and in certain anſwers and opinions ſet down by Sir Walter Mildmay and other ſpecial commiſſioners unto certain articles, which were in March 1578 ſent to Sir William Drury with his inſtructions, the copies of which eſtabliſhment, orders, and articles, with the ſaid anſwers and opinions, as alſo the ſaid inſtructions ſhall be delivered unto you.

And whereas the number of penſioners ſince the beginning of the late troubles in that realm hath been extraordinarily increaſed to her majeſty's great charges, divers having been put in penſion, that have been of no long continuance of ſervice neither there nor elſewhere; and ſo having greater penſions than their former wages, whilſt they ſerved captains or ſoldiers, it is therefore thought meet, that the number of them ſhould be abridged, and ſuch only continued in pay as were ſet down in the laſt letters and former eſtabliſhment, or recommended by her majeſty's letters, or ſuch as have been in reſpect to their maims in the wars there put in penſion, and for the reſt, that by you and the council ſhall be found fit to be diſcharged they may be rewarded with ſome eſtates in part of the attainted lands in Munſter, according to their ſeveral deſerts and qualities where they may inhabit.

And touching the captains and ſoldiers of the old bands, it is thought meet, that always ſuch as have ſerved there as known captains and ſervitors, ſhould be continued and preferred in the

the places of ſervices, before others of whoſe experience there hath not been made the like trial; wherein for your better direction, it ſhall be needful, that you follow ſuch order as hath been ſet down in the ſaid inſtructions delivered to Sir William Drury and others, in this point.

THERE hath been alſo, by reaſon of their great troubles, an increaſe of wards in divers parts of the realm, and ſome (as it is informed) very unneceſſarily placed, as namely at Fernes and Enniscorthe, wherein there hath been more regard to the benefit of particular perſons having thoſe places in leaſe, than of the public ſervice; and therefore it ſhall be neceſſary for you to confer with the council there, for the diſcharge of ſuch wards as ſhall be found unneceſſary.

AND whereas it hath been certified from the juſtices there, that the two forts of Leix and Offally are greatly decayed, it ſhall be needful that a ſurvey be taken of the ſaid decays by ſome well choſen perſons, and to be ſet down with what charge the ſame may be repaired, wherein care would be had that her majeſty may be put to no unneceſſary charges, but that all carriages and ſuch kind of labours may be borne by the inhabitants for whoſe defence the ſame forts were erected; there would be alſo a view taken of thoſe two countries, how they are now inhabited, and by whom, and what eſtates they have, and to compare the preſent eſtate with the former as it was in the act of parliament made in the earl of Suſſex's time, when the eſ-
tates

tates were made in tayle to Engliſhmen, and to advertiſe the difference hither, with the cauſe of the decays and the means to remedy the ſame.

And whereas there hath been made, not long ſince, a grant by letters patents unto Edward Waterhouſe and his heirs, for the maintainance of certain boats upon the river of Shannon, containing certain very large and hard conditions towards her majeſty and the crown, as alſo very burthenſome to the country next adjoyning, by reaſon of the continual taxations that have been levied upon them for the maintainance of or in pretence of the ſaid boats; for as much as the ſaid Edward Waterhouſe hath offered to her majeſty, that any thing contained therein that may be miſliked ſhall be by him relinquiſhed: it is thought meet, that the patent be ſurrendered; and yet, for that the uſe of ſaid boats is neceſſary, and that the ſaid Edward Waterhouſe hath deſerved very well to be favourably conſidered, there may be a new patent made unto him during his life, to have continuance with an allowance of the entertainment, as by you and the council there ſhall be thought meet, and with ſuch reaſonable clauſes and conditions as may be convenient for that ſervice; of which manner of grant to ſend the copies thereof to the council here, to be allowed of before it be paſſed there under the great ſeal.

It is alſo to be remembred, that ſuch within that realm as have been parties in that late rebellion,

lion, of what quality ſoever they be, ſhall not be ſuffered without ſpecial licence in writing, to keep within their houſes any armour, or for the ſpace of years, other than ordinary daggers and ſwords, upon pain of incurring ſuch penalties as by you upon conference with the council there, ſhall be thought meet.

Considering to what terms the province of Munſter is there, and how that country is diſpoyled, and how needful it is to repeople it again, ſo as the ſame may be with ſuch as ſhall ſhew more obedience to her majeſty and her crown than hath been of late years, and that conſidering alſo there hath come duly by eſcheat to her majeſty, by the forfeitures of the earl of Deſmond, and a great number of others, whereof many are dead either by the ſword or otherways; it were convenient that you, the deputy, ſhould confer with the council there, and other wiſe perſons, and to receive the opinion of as many as you ſhall find to be of moment and value, and by debating thereupon, to ſet down your own opinion, and ſpeedily to advertiſe hither both your own and the probable opinion of others; and if you ſhall think that by writing alone there can't be ſo good ſatisfaction as to ſend ſome diſcreet perſon with the ſame writing, to explain the ſame, we leave it to you to take choice of ſome ſuch; and though it may be every man at firſt ſight ſeem eaſy to give advice that the lands eſcheated ſhould be inhabited with obedient people, and that the ſame ſhould be

governed by the laws of the realm, as the people in the civil countries of the pale are, that is, by diſtributing the territories into baronies, and thoſe in hundreds, and thoſe into townſhips and pariſhes, and to conſtitute manors where court barons may be kept, and many ſuch things deviſed for good government; yet until it may appear by ſome diligent ſurveys what and how much lands are eſcheated to her majeſty, and where the ſame do lye, and of what goodneſs the ſame are, and where there are upon the ſaid lands any caſtles or houſes of ſtrength meet to be continued, or re-edified if they be ruined, and how the former inhabitants were governed, it will be hard to reſolve and eſtabliſh any certain ordinances for the peopling of that province, but upon advice had from you, and certificates of the ſurveys, her majeſty may be the more eaſily adviſed in what ſort to proceed; and yet in the mean time becauſe neither of theſe two, that is, neither your advice from thence, neither yet, the certificate of the ſurveyors can be had ſo ſoon as were requiſite, you, the lord deputy, having the earl of Ormond with you, ſhall do well to conſult how to keep thoſe people that are there in obedience, and to comfort them to proceed in their tillage and increaſing of their cattle; and that all thoſe which have remained loyal may be cheriſhed and kept in heart; and the others that have offended, and that are either pardoned or protected, may be kept under, and yet without any injury, but ſo as they have no ſtrength

ſtrength of arms or weapons, nor yet ſuffered to ſtray like vagabonds, but according to their qualities to be conſtrained to live by their labours, wherein you ſhall do God good ſervice, and make the way more eaſy for her majeſty to govern thoſe that are there, and comfort others to occupy the places that are left without habitation.

Tho. Bromley. W. Burleigh.
L. Lincoln. Amb. Warwick.
Fra. Bedford. R. Leyceſter.
Ch. Howard. J. Hunſdon.
Chr. Hatton. Fra. Walſingham.
Wa. Mildmay.

Inſtructions given by her majeſty to Sir JOHN PERROT, knight, being ſent deputy into IRELAND in DECEMBER, 1583.

YOU ſhall immediately upon your arrival in that realm aſſemble our council there, and confer with them what courſe of government (upon due conſideration had of the preſent ſtate of the realm) may be held, ſo as juſtice may take place, our charges be leſſened, and revenues encreaſed, and our ſubjects there not oppreſſed.

You ſhall alſo conſider what forces are meet to be continued in pay, and how they are chargeable to us and burthenſome to the country,

try, may be diſcharged; and alſo how the horſemen and footmen ſerving there may be reduced to their old pay, which by reaſon of the general rebellion in that realm, the countries being waſted, we were driven to encreaſe, and therefore ſee no reaſon but the bands reſiding in the countries that are not waiſted, may live well enough of the old pay, eſpecially being victualled by us, and for the eaſe and diminiſhing of other charges in that behalf, we do think it meet, that you ſhould treat with thoſe countries as well in Munſter as elſewhere in that realm, to ſee if you can draw them with good contentment to contribute ſomewhat towards the finding our ſaid garriſons, as Carbury heretofore hath done.

And for that our ſubjects in that realm have been very grievouſly oppreſſed by the outrages and inſolences committed by certain ill affected of our garriſons ſerving there, which hath been partly a cauſe of the alienation of the good will which they before bare unto us; we cannot (as a principal matter wherein we look to have redreſs) but give you an eſpecial charge, to ſee that our garriſons ſerving there be kept in better diſcipline than heretofore they have been, and that the bands may be kept complete and full as they ought to be, and that ſuch abuſes as have been heretofore committed by ſuch captains as have had heretofore more regard to their particular profit than to the diſcharge of their duties may be met withal, and the party offending ſeverely puniſhed.

AND

And whereas we are given to underſtand that the greater part of our province of Munſter lyeth waſte, and is for the moſt part unpeopled, we do now think fit, that you ſhould conſult with the reſt of our council there, how the ſame may be peopled and inhabited as heretofore it hath been, as alſo to conſider how the attainted lands as well within the ſaid province as within the pale and other places within that our realm, may be let out to our profit, and yet in ſuch ſort as the farmers thereof may live and maintain themſelves by eaſy rents at the firſt for ſix or ſeven years, and afterwards to be encreaſed. But before any eſtates be made, we think it meet, that the ſame be ſurveyed by ſuch ſpecial commanders as we do now ſend over into that realm, and that therewith the advice of the council there ſhould ſet down your opinion what eſtates are fit to be made of the ſaid lands, with neceſſary reſervations of rents and ſervices; and after we ſhall have ſeen the ſaid ſurveys, together with your opinion in what ſort you ſhall think meet the ſame ſhould be let out, we will then preſently ſend over ample commiſſion for the doing thereof.

And to the end that men may be drawn the moſt willing to inhabit there, and to become our tenants and farmers; for the avoiding of all ſcruples of covenants, grants, and other fraudulent conveyances, we think meet, that a parliament ſhould be held in that realm at ſuch a time

 as

as by you and our council ſhall be thought fitteſt, as well for the attainture of the late rebels in that realm, as for the aſſurance of their lands unto us, and alſo for the diſſolving of fraudulent grants, and qualifying the ſtatute of uſes, may in any point concern, &c.

And whereas certain lands of ours being within the pale, that heretofore have been charged with reſervation of port corn, which hath been many times ordained to ſerve for the better victualling of our garriſons, have been contrary to our minds leaſed out without any reſervation of corn; we think meet, that there ſhould be ſome proviſion made in the next parliament, that ſuch as do now hold the ſaid lands, ſhould, during the time of their leaſes, pay a third part of corn, and after the expiration of their leaſes, to be ordered to pay the whole proportion of corn, and a fourth in money, and ſo to be ordered in parliament, that no leaſes otherwiſe made ſhall be of force, notwithſtanding any clauſe of diſpenſation.

And whereas we have been informed, that ſome of the noblemen and gentlemen inhabitants in Munſter, have ſerved us moſt dutifully in the late troubles with the hazard of their lives and the loſs of their goods and children, whom we think meet for their better encouragement to be rewarded with ſome portion of the attainted lands there, you ſhall therefore inform yourſelf both of what quality and deſert they be that are fit to be regarded, as alſo what portion of

of the ſaid lands you, with the advice of our council, ſhall think meet to be beſtowed upon them, and with what conditions and reſervations of rents and ſervices, wherein we think meet ſome regard ſhould be had that our regard in that behalf ſhould be beſtowed rather upon the younger ſons of ſuch noblemen as ſhall be thought fit to be rewarded, than upon themſelves, thereby to make the more families and number of able men to ſerve us: we think it meet alſo, that ſuch as have ſerved in that realm, whereof many are now ſuitors here now unto us for recompence of ſervice, and many alſo as we think remain there, and they which are here, are by our council referred to your conſideration to be rewarded with ſome part of the attainted lands, being moſt fit in reſpect of their experience in martial affairs to be placed and to reſide there, and therefore do think meet, that you ſhould certify us, after a ſurvey taken of the ſaid lands, what portion ſhall be thought fit to be beſtowed upon every of them, with a note of the ſeveral values, and the conditions meet to be annexed to the ſame.

And whereas there hath been an increaſe of penſioners in reſpect of ſervices done during the time of the late troubles there, of which we think meet divers to be diſcharged, according to ſuch direction as you ſhall receive from our council here, you ſhall alſo in recompence of their ſaid ſervice with the advice of our council there, appoint unto them ſome part of the re-

bels lands, certifying us as before is mentioned, both the value and the conditions how the ſame are to be let.

In the diſtribution of the ſaid lands we find it very neceſſary that an eſpecial care be had, that no greater portion be beſtowed upon any one man than he ſhall be able to furniſh with people and inhabitants, eſpecially ſuch as may employ the ſame to tillage as the ground ſhall be meet.

And whereas in the inſtructions given to ſuch our deputies as have ſerved in that realm there, are divers points contained in the ſame, tending to the good government of that realm, our will and pleaſure is, that the ſame ſhall be reviſited by you and our council there in your open aſſemblies, and all that therein is neceſſary to be duly put in execution, ſo far as it is not repugnant to theſe our preſent inſtructions: and as for other matters concerning that realm meet to be conſidered of, we refer you to ſuch further directions as you ſhall from our council here be adviſed of.

And whereas both in and ſince the time of this laſt rebellion began by James Fitz-Morris, and continued by Deſmond, many of our ſubjects in that realm being tenants unto us in diverſe parcels of our own lands, and alledging that the ſame lands, by reaſon of the rebellion, being waſted, they are grown behind hand with their rents due to us, and ſo their eſtates for non-payment in danger of forfeiture, and for theſe

cauſes

cauſes have been ſuitors here, as well that no advantage of forfeiture for the non-payment might be taken againſt them, as alſo for a remiſſion of their arrears due unto us; we have thought fit to refer our ſaid ſubjects and their caſes to the conſideration of you and the reſt of our council in that realm.

And for the avoiding the danger of forfeiture they ſtand in of their ſeveral eſtates in reſpect of their ſeveral diſabilities to make payment by reaſon of the ſame waſtes, we have therefore thought it meet, and do authorize you accordingly, to renew unto them their ſeveral eſtates for ſo many years only as are unexpired in every of them, and for ſuch rents as now they pay, covenanting with them as alſo with their ſeveral tenures, or that ſhall hereafter renew any leaſe or other eſtate, that the fourth part at leaſt be anſwered in beefs or in wheat, malt and oats at the diſcretion of our deputy and council; if in beef at ix. ſterling, the beefs according to the rates anſwerable by virtue of our prerogative; and if any or every of the ſeveral kinds of grain before ſpecified, at ſuch rates as to our beſt advantage is anſwered for any port corn reſerved upon other leaſes in our Engliſh pale, or elſewhere in that our realm, of which reſervations the deputy being furniſhed of a convenient portion, our pleaſure is, that the remains be ſold and employed to our moſt profit.

And for the remittal of their arrearages that firſt by all the beſt means you can, which we think

think may be either by ſome truſty and ſpecial commanders to be by you with the advice of the council there choſen in every country and dwelling near the ſaid lands in our ſaid ſubjects occupation, or by any other way as by you and them ſhall be thought good, enquiry to be made, not only whether the ſuggeſtions of the ſaid waſtes be truly made or no, but alſo of the goodneſs of every of their farms, for it may be that in ſome the ſuggeſtion is either altogether or in part untrue; ſome part of the farms held of us lying in ſuch places where the ſame hath not been touched in all the time of the rebellion, or that their farms be of ſuch goodneſs and eaſy rents, notwithſtanding ſome waſtes by thoſe troubles, yet the ſame are ſo beneficial to them otherwiſe, as there may be no great cauſe of ſuch remittal of arrears as is deſired; and by the ſaid commiſſioners, you ſhall be certified not only of the truth of the ſuggeſtion of waſtes, but alſo of the quantity, goodneſs and eaſy rents of the ſeveral lands held by our ſaid tenants, ſo you and your council there, to deal with them accordingly by remittal of the whole part of the arrears, or elſe by ſuch a toleration and inſtalment of the ſame as to your and our ſaid councils in your diſcretions ſhall be thought good.

Whereas ſundry parcels of our lands and other commodities which in former times were thought meet to be reſerved for the better maintenance of the ſtate of our government there, or that did belong in that reſpect to any of our houſes

houſes or caſtles of Dublin, Kilmainham, Athlone, Catherlough, Laughlin, and Munſtereven, or that do lie to be commodiouſly annexed to any of the ſaid caſtles or houſes, or any other our caſtles, forts, houſes, or places, meet to eſtabliſh a preſident or other kind of governor upon within that our realm, have been granted away in fee-tayle, fee-farm, or by leaſe for years, partly by warrant from us upon ſome ſurmiſe, and partly by affection and favour of our governors; foraſmuch as it is very meet that the abuſe in this behalf ſhould be reformed, and that theſe things ſhould return again and remain to the uſe for the which they were firſt ordained; for the better countenance of our governors and for the eaſing our good ſubjects of ſome part of the burthen that for the ſupply of theſe wants they are to bear by virtue of our prerogative, we have thought meet, and do authorize you by the advice of our council there, to enter into the conſideration of the premiſes, and either by act of parliament, or by forfeiture, or otherwiſe as ſhall ſeem moſt convenient to you, to re-ſeize into our hands thoſe lands and other commodities upon ſome reaſonable compoſition to be made with the parties in whoſe tenures they are, in ſuch ſort as the ſaid parties may have no juſt cauſe to find themſelves aggrieved, and the ſame to reſume, together with any other lands and commodities that ſhall be commodiouſly to be annexed as aforeſaid; we, &c. authorize you to cauſe to be by act of parliament

ment for ever inſeparably annexed and tied to our ſaid caſtles, houſes, forts, or other places meet for the eſtabliſhing of a preſident or other like kind of governor, reſerving to us our heirs and ſucceſſors upon ſuch lands as are already ſurveyed, ſuch rent as the ſame ſhall be ſurveyed at.

And further, if any part of the ſaid attainted lands in Munſter or Connaght ſhall upon the ſurvey and diſtribution of the ſame be found to lie fit and commodious for this purpoſe, we will and authorize you in like ſort to cauſe ſome convenient portion of the ſame to be taken into our hands as before, and ſo inſeparably to be annexed to the ſaid preſidentſhip or other kind of government.

And for all the timber woods that do grow upon the ſaid attainted lands, or any other our lands commodiouſly near any river, having portable recourſe to the ſeas, our will is, that the ſame be carefully reſerved and preſerved for the maintenance of our navy, and for our other buildings.

For ſuch as have functions, charges and governments eccleſiaſtical or temporal within that our realm of Ireland be ordinarily, and for the moſt part commorant, and reſciant, not allowing any man of that quality to remain in England or elſewhere from his function and charge, or government, above two months every year, unleſs it be that for or by occaſion of our neceſſary ſervice he be otherwiſe commanded by us, or our council, or ſent, or appointed by you;

and

and if any ſuch be, that you proceed to the diſplacing of them or making ſtay of their livings both by due courſe of law and alſo by your diſcretion, where ſundry different reports have been uncertainly made to us and our council of the late and preſent eſtate of that our realm, our expreſs will and pleaſure is, that ſhortly after you ſhall have entered into that charge, you do aſſemble our grand and particular council there as ſhall ſeem unto you moſt convenient, and by their advices and knowledges to enter into conſideration what outrages have been committed ſince the 25th of March, 1583, and how the ſame have been addreſſed and corrected, who they be of the greater quality in every province of that realm that have and do remain aſſured and loyal to us, and who on the other ſide do ſtand apparently or doubtfully upon terms of diſloyalty, with all other matters meet to be conſidered of, and the ſame under your and our councils hands to certify unto us, truly and ſingly, to the end that we may be well aſſured in that behalf of the ſtate of our realm, and particularly of the ſeveral provinces, that we knowing in what part that our realm is either ſick or ſound, we may accordingly give order for the applying fit remedies.

WHERE beſides the lands and revenues of the late traitorous Deſmond and other his adherents, there be eſcheated to us divers other profits and commodities not to be neglected, as the ſpending of the country and ſuch like that were wont

to

to be more beneficial unto them than the revenue of their lands, our will and pleaſure is, that, together with the ſurvey of the attainted lands, ye give orders to ſurvey and make eſtimates, as well of the premiſſes as alſo of all other profits taken, to the end that we may know the ſame and the value thereof (if it may lawfully be converted in policy of good government) to our uſe, or elſe to take ſome reaſonable rent or compoſition in lieu of the ſame, or if it ſhall be good to be utterly relinquiſhed; that yet our good ſubjects may know the care we have of them, the happy condition of their eſtate under us, and the eaſineſs of the yoke of our obedience.

Moreover, whereas we do well underſtand that there have been heretofore ſundry perſons employed in that our kingdom in commiſſions, ſometimes in cauſes not greatly neceſſary, and yet with too great and large allowance as hath been burthenſome unto us, our pleaſure therefore is, that you, our deputy, ſhall hereafter have ſpecial care that there be no ſuch unneceſſary employments of any perſons, and when any neceſſary muſt be uſed, that ſuch allowance be made to the perſons employed as ſhall be thought convenient, wherein we would not have you follow precedents of former times, in the which there hath not been that regard to our profit as was requiſite; alſo where we find the allowance for the government of Connaght ſet down in the former eſtabliſhment ſent over to Sir William Drury late juſtice of that our realm, to be over large,

large, our pleaſure is to have the ſame abated and reduced to a more convenient charge, according to a new eſtabliſhment in this behalf to be now ſet down by our privy council here and delivered unto you; and in reſpect of the good opinion we have conceived of our ſervant Richard Bingham, our pleaſure is, he ſhall ſupply the place of the chief commander of the ſaid province of Conaught, and have ſuch allowance for that place as ſhall be contained in the ſaid new eſtabliſhment.

AND for that we think it alſo very neceſſary to have a preſident in Munſter, to have the ſupreme charge of that province under you, we have made choice of our ſervant John Norris, Eſq; whom our juſt pleaſure is in, the time of your being in the ſaid province, that you place him in the ſaid office of preſident for the exciſe thereof; we are content to yield him ſuch entertainment and allowance as you yourſelf had at the time you held the place.

FURTHERMORE, divers of our council in that realm being of late years ſome dead, others growing through years and weakneſs of body not ſo apt to take pains as they have been, to ſupply their wants, and for the better aſſiſtance we have thought good to have called to be of our council in that realm, theſe perſons following: Tho. Jones, biſhop of Meath; John Norris, preſident of Munſter; Richard Bingham, our chief commander of Conaught; and Thomas Leſtrange, Eſq; and therefore do will and command you to call all

all theſe perſons before you to be admitted of our ſaid council, and to have the oath in that behalf uſed miniſtred to every of them.

And whereas now the primacy of Armagh is void, that place being in title and dignity one of the chiefeſt among our clergy of that realm, we think it inconvenient that the ſame be over long vacant, and therefore to the end it may be filled with a perſon for learning and other good parts able to diſcharge thoſe duties there required, we do not name any one particularly unto you, but reſerve the choice of ſuch a one to yourſelf, the biſhop of Dublin and the reſt of our council, not doubting but you will agree upon the fitteſt perſon in every reſpect, and whom you ſhall agree upon, you, our deputy, ſhall further give order for the delivery of all writings and other neceſſaries unto him for the inſtalment of him in that primacy, and in ſo doing, this article of our inſtructions ſhall be as well to you as to any other officer of that realm ſufficient warrant.

Lastly, for that the ſums of treaſure which are often ſent over in that kingdom are great, and no perfect knowledge here of the employments of the ſame there, until ſome account be taken of our treaſurer at wars.

Our pleaſure is that from henceforth after your arrival there and taking the general government of that realm upon you, you do take order that quarterly view be had as well of the ſums of money that go from hence, as alſo of the ordinary

dinary revenue, and caſualties of that realm; and how the ſame be there expended, either ordinarily or extraordinarily, and accordingly as you ſhall find quarterly, ſo certificate to be made to our council here.

Inſtructions, to be ſent to the lord deputy, and council in Ireland, by GEOFREY FENTON, eſq; her majeſty's ſecretary in that realm, Dec. 1585.

FIRST, foraſmuch as her majeſty, upon view of the ſtate of our army in that realm, we find the ſame to conſiſt of 1900 men, or more; beſides the bands, found by compoſition in Ulſter; and ſeeing all the other parts of the realm to ſtand in good terms, and no appearance, for the preſent, of any alteration likely to fall out there, whereby it ſhall be needful to continue ſo many numbers now in pay, as there we ſee no cauſe, but that ſome hundreds may be diſcharged.

WHEREAS, by reaſon of the general rebellion in that realm, the countries there being waſted, and therefore, our burthen increaſed, as well by augmenting the ſoldiers pay, as alſo to be at a further charge of victualling, made out of this realm, which had, and ſtill hath, many caſual diſcommodities that grow thereof, by providing and ſhipping victuals from hence, and the ſoldiers, notwithſtanding thereby, not ſo well

ſatisfied, as appertaineth. Our pleaſure is, that the lord deputy, with the council there, conſider forthwith, how this our great charge may be holpen, whether it be leſs charges to us to be diſburthened altogether of the victualling, yielding the ſoldiers ſterling pay, to be paid them quarterly, and ſo to victual themſelves, taking nothing of the country, but what they pay for; or elſe to reduce them to the old Iriſh pay, and to continue the victualling of them ſtill, as we do now; for that we think it not reaſon to allow ſtill the ſaid increaſe of pay, lately granted, and to be charged likewiſe as we are now in their victualling: and with all convenient ſpeed they certify either whether of theſe two ways they find beſt for us, before they conclude any thing with the ſoldier therein. This being an article given to the lord deputy, in his inſtructions, and our council, at his going over, we expected long ago, to have been ſatisfied therein. And in caſe the lord deputy, and council, find it better to be diſcharged wholly of their victualling, and to yield the ſterling pay; then, as the ſoldier is to take nothing of the country, but what he ſhall pay for, ſo it is neceſſary, that the lord deputy do cauſe reaſonable rates to be ſet upon every kind of victuals and proviſions, with charges, and all other things which the ſoldiers ſhall need, leſt the country, being not reſtrained, ſhould exact unmeaſurably upon the ſoldier, for things he ſhould take, and ſo make him not able to live upon

upon his entertainment: and with theſe ſeveral rates of victuals and carriages, are meet to be, the lord deputy and council, ſhall do well, likewiſe, to certify.

WHEREAS, the compoſition of 2100l. ſterling, heretofore aſſented unto, hath been by the ſpace of divers years omitted, and not levied; we, underſtanding, by letters, from ſome of the lords of the pale, that it is a matter agreeable to the country, have heretofore thought meet the ſame ſhould be revived and continued, till we ſhall give direction to the contrary: and therefore, our pleaſure is, that the lord deputy cauſe to be aſſembled, the nobility and grand council, according to the former uſage, in like caſes; and to move them to renew and accept the ſaid compoſition, upon condition, that they aſſenting thereunto, the ſame ſhall ſtand in lieu of ceſſe, in ſuch countries, as ſhall ſtand and yield to the contribution, and as well of the army, as for all other duties heretofore impoſed for the lord deputy's houſe; and the ſame to continue during our pleaſure. And whereas, heretofore, the countries of Leix and Offally, were contributors to this compoſition, according to ſuch rate and proportion, as was ſet down in the council book, there we ſee no cauſe that they ſhould be diſpenſed withal, but every one to bear a part as it is alloted upon them, which, if they ſhall refuſe to do, then may the lord deputy lay ſoldiers upon them, according to their meaſure and rate of their part of bearing;

wherein nevertheleſs, regard is to be had to favour and eaſe, as much as may be ſuch of the ſaid countries and ſuch parts thereof as lie waſte, and are impoveriſhed moſt, as it is informed that ſome part of Catherlough is.

Whereas, we have employed our ſervant John Norris, eſq; our preſident in Munſter, in the ſervice of the low countries; and conceiving a very good opinion of captain Thomas Norris, his brother, to ſupply that place, as vice-preſident, until we ſhall determine otherwiſe: our pleaſure is, that the ſaid captain Thomas Norris ſhall remain there, as vice-preſident, during our pleaſure, receiving all his ſaid brother's allowance, except his fee of 110 marks ſterling *per annum*, which is to be anſwered to the ſaid lord preſident. And whereas the ſaid vice-preſident, hath now a fee of 20s. ſterling *per diem*, agreed upon by concordatum, over and above the ſeveral allowances of the ſaid lord preſident; our pleaſure is, that the ſaid fee of 20s. *per diem*, ſhall ceaſe immediately after theſe inſtructions and ſignification made to him thereof; foraſmuch, as we think it convenient, that all ſuch directions, inſtructions, eſtabliſhments, and warrants, as are commonly ſent from hence concerning our ſervice, ſhould be often and orderly communicated to the council as matters meet for them to be acquainted withal, for their better knowledge and information; our pleaſure is, that whatſoever directions, inſtructions, eſtabliſhments, &c. ſhall be ſent from hence,

hence, appertaining to our ſervice, ſhall be publickly read at the council table, by our ſecretary there, once in every quarter at the leaſt; and that our ſecretary, ſhall be charged by his office, to move and ſolicit the ſame, according to the times limited in this article: provided always, that in eſpecial matters, which for ſecrecy ſake, are not to be openly read at all, to the council at large, the lord deputy, may in diſcretion direct the ſecretary to refer them to be communicated only to ſuch of the Engliſh council, as for the moſt part are ordinarily attendant upon the ſtate.

We think it meet, and our pleaſure is, that officers and charges falling within the gift of the lord deputy, ſhould be beſtowed upon men fit for them, and that ſuch as be of known ſkill and honeſty may be preferred before others.

And whereas, hitherto, the liberty to have deputies and ſubſtitutes in offices, hath, and doth breed great corruption, and extraordinary taking of fees, whereupon enſueth the grudge and clamour of the people; our pleaſure is, for the remedy thereof, that from henceforth, all officers ſhall be bound to reſide upon their places, without favour or diſpenſation, other than in caſe of ſickneſs, impotency, and old age.

And whereas, among other things, meet to be redreſſed, the houſes of juſtices, and judicial courts, being now kept within our caſtle of Dublin, are ſubject to many inconveniencies and

 dangers,

dangers, by reaſon the ſtore-houſe of powder and ammunition is underneath them; and alſo, the priſon called the Grate, where malefactors lie, is very near adjoining thereunto; and hereby the reſort into the caſtle is more common than is meet: we think it very convenient, that the ſaid courts and houſes of law be removed out of our ſaid caſtle, unto ſome meet place in the city, ſuch as the lord deputy and council may compound for, and advertiſe their opinions thereof.

Whereas, our privy ſignet of that realm, ought of right, to remain in the cuſtody of our ſecretary of ſtate there, as a thing appertaining to his office, like as our privy ſignet here in England, remaineth always in the charge of our principal ſecretary; our expreſs pleaſure is, that our ſaid ſignet of that realm ſhall ſtill continue in the cuſtody and charge of our ſaid ſecretary of ſtate there, that now is, and that hereafter ſhall be, without challenge or interruption of any other; and he to enjoy all fees and profits thereto belonging. Likewiſe, our expreſs pleaſure is, that our ſaid ſecretary of ſtate there, for the time being, or any other by him appointed, ſhall have the making of all the bills, warrants, and other writings, that are to paſs the ſignature of our deputy, or other head governor there for our ſervice, and by our authority, and ſo to paſs to the great ſeal with all fees and duties appertaining; and he to keep a regiſter book of the ſame, to remain of

record,

record, as our principal ſecretary of England doth in like caſes, to be from time to time ſhewed to our deputy, or other principal governors, for the time being. We think it very convenient, that as ſoon as you can finiſh the parliament, which we wiſh to be done with convenient expedition, you ſhould by good deliberation of council procure, that the North parts of that realm might be ſettled in ſome quietneſs, for which wholeſome purpoſe yourſelf might repair into Munſter, and there with ſuch of our council, as may be ſpared from Dublin, and from the Engliſh pale, to continue your reſidence for the better ſtrengthening of that whole province, and eſpecially of the maritime towns and ports, conſidering the doubtfulneſs, how the forces that be put in readineſs in Spain and Portugal are looked for, to come to the ſeas more timely this year, than commonly hath been uſed; and for that there be many particular things requiſite for this purpoſe, whereof we doubt not but you with your council there, will have regard; yet, of ſome few things we think convenient to admoniſh you firſt that ſuch perſons either in Munſter, or elſewhere, as you ſhall think to be doubtful, in reſpect of their former offences, and of their inclination to have new troubles in that realm, by acceſs of foreign forces, may be ſo looked into, or guarded, or otherwiſe reſtrained of their liberty, as they may not become parties, either to nouriſh ſedition among the multitude of our people, or

 comforts

comforts to ſuch foreign traitors, as being out of the country, are likely, upon comfort of their friends within the land, to entice the enemies to enter into ſome places there.

Secondly, the port towns would be ſeen unto, that none of the inhabitants be ſuffered to have armour and weapons, but ſuch as ſhall be thought to be faithful and loyal; and that ſuch as you ſhall think to be faithful, may be provided of armour and weapon, and they to be put in order and regiment, to keep the ſame towns from all mutiny and ſedition; and as far forth as their powers ſhall be with the help of ſuch ſuccours, as you may ſend them to withſtand the enemies landing.

Thirdly, you ſhall do well to ſuffer none of the common people that did rebel, to have any weapon of offence, but to be charged ſtraightly, upon pain of death, or otherwiſe by putting in good ſureties, to continue at their dwelling places quietly, except you ſhall have cauſe to ſend for any of them, for any kind of ſervice requiſite.

Laſtly, you may do well about the time of the year that you ſhall underſtand any certainty of the coming of the Spaniards, or Spaniſh army, into the ſeas, to cauſe the beſtials of the country, and other victuals, to be removed from the maritime ports where you ſhall ſuſpect likelihood of landing, and ſo in all other things requiſite to do your beſt to preſerve that country this ſummer in quietneſs, and for better comfort, you ſhall underſtand, that we have re-

ſolved

ſolved to keep upon the ſeas a ſtrong navy, that ſhall attend to impeach the navy of Spain from landing, either in England, or that realm, hoping with God's favours, in our juſt defence, to withſtand the violent attempts of our enemies, how many and malicious ſoever they be: and for the better intention that we have to people that country of Munſter, our ſecretary, now coming thither, ſhall particularly declare unto you.

A note of the benefit that may grow in ſhort time, to the younger houſes of gentlemen, by this courſe, in perpetuity, taking the greateſt portion in the plot, &c. Dec. 1585.

THAT it may appear what profit, commodity, and advancement, may in ſhort time grow, to the young houſes of the gentlemen; by that courſe, in perpetuity, ſome reaſons are here ſet down, whereunto more may be added, as occaſion ſhall require.

Imprimis. The gentleman undertaker to be the chief lord of ſo great a ſeignory or pariſh, and to have the manrode of ſo many families, and the diſpoſing of ſo many good holdings, as the greateſt portion ſet down in her majeſty's plot doth offer, as a thing fit for gentlemen of good behaviour and credit, and not for any man of inferior calling.

To

To have the royalties and perquiſites of courts within the whole, will be, no doubt, a matter of good benefit to him in time to come, then to have 100*l.* *per annum* declare of revenue, to be paid yearly, as the queen's majeſty's rent is paid; and yet with good content to the taker, is a thing very eaſy to be performed: beſides, the profit that he may make of his own demeſne with the firſt year, with a reaſonable ſtock, as is ſet down, may prove to be worth the ſecond year more; and after the ſame ſhall come to full manurance, is very likely to prove worth *per annum*, at the leaſt; and ſurely conſidering the ſmallneſs of the charge which groweth, even in the firſt year, which is the greateſt year of burthen; and withal that, a great part of the money required in the ſame, doth ſtill remain to himſelf in ſtock, beſides many other commodities, which the nature and fertility of that ſoil may bear, muſt needs prove this courſe very beneficial to the undertaker, if the ſame ſhall be well purſued, and effectually dealt in, and that he doth enter into the ſame with due conſideration, as is meet. Furthermore he is to make it known, what profit and living may grow to them that ſhall be his followers, in ſhort time, every one in their proportion; for example, the freeholders, who is to have alloted unto him 300 acres for his holding, which being eſteemed at the goodneſs of ordinary ground in England, may well bear, as followeth, *viz.* 20 kine, and 6 oxen, 2 mares, 10 head

head of young cattle, to breed yearly 4 geldings or 2 colts, and 200 ſheep; and the tillage of 10*l.* or acres yearly, after it grow to full manurance, out of which, in ordinary years, he may then ſell yearly 30 or 40 quarters of wheat or rice, and more of the other kind of grain; beſides, proviſions of corn for a dozen or fifteen perſons at the leaſt: then what will grow of his kine, the breed of his cattle, the fleece of his ſheep, the keeping of ſwine, and ſuch like, which are no valuable commodities, each man that hath ſkill, may diſcern, beſides other commodities of proviſions, which the nature of the ſoil, and the benefit of the reverſe there will afford; and it is to be conſidered, the firſt year's charge overpaſſed, he may have the ſecond year, corn and cattle ſufficient for him and his family to ſpend, whereby he may be at no charge, by reaſon of neceſſary expences in his houſhold, that ſecond year; and the third year he will have to ſpare both corn, cattle, work, &c. which he may event for at all times, either into England, or other countries, to his great benefit. And here it may be remembered, that proviſion is to be made in England for men and maid ſervants, and for bread and drink, corn for the firſt year; and as for cattle of all ſorts, there are ſufficient to be had and provided in Ireland, at very ſmall prices, *viz.* for the county of Kerry out of Deſmond and Thomond, for Limerick out of Carbry and Thomond; and as for the counties of Cork and Waterford,

Waterford, much cattle is to be had there, and may be provided out of the north parts of Ireland: for all which proviſions, there is a particular eſtimate ſet down, whereby each man may ſee his preſent charge. To conclude, it may ſeem requiſite, that theſe perſons following be ſpeedily cared for, and provided at the firſt going over, by every gentleman that purpoſeth to enter, and meaneth to go through with this action; *viz.* All his farmers, freeholders, and ſome of his copy-holders, beſides a gardener for planting of hop-yards, griffing, gardening, &c. a wheel-wright and ſmith, for plough ſtuff, and ſhoeing of horſes; a maſon, carpenter, and thatcher or tyler, for building; a taylor and ſhoemaker; a butcher and miller; and a victualler, that may provide victuals for themſelves and paſſengers. And further, it may ſeem convenient, that every undertaker do ſet down how many of his own tenants, neighbours, and friends, he hath drawn to accompany him in the action, and who they be that ſhall be his farmers, freeholders, &c. and how ready and able each man may be to perform his portion, according to the plot ſet down, for that otherwiſe, for want of ability, they themſelves are like to take no profit thereby, and her majeſty's expectation greatly fruſtrated, touching the peopling of that country, and manurance of the ſame, which are the things chiefly deſired by this whole courſe ſet down.

The

The plot of her majeſty's offer touching the peopling of Munſter in Ireland, December 1585.

	Acr.	Fam.
The gentleman to have for his demean ——— ———	1600	1
One chief farmer to have	400	1
Two good farmers, each 300 acres	600	2
Two other farmers, each 200 acres	400	2
Fourteen freeholders, each 300 acres	4200	14
Forty copyholders, each 100 acres	4000	40
Land to be apportioned for meſne terms and cottages, and of which there muſt be erected 26 families at the leaſt, at the diſcretion of the undertakers —	800	86
Sum	12000	86

The gent. to have in demeſne	1400	1
A chief farmer to have	400	1
Three other farmers, each 300 acres	900	3
Twelve freeholders, each 300 acres	3600	12
Thirty copyholders, each 100 acres	3000	30
Land to be apportioned as before, to 25 families at the leaſt —	700	25
Sum	10000	72

The

	Acr.	Fam.
The gent. for his demeſne	1200	1
A chief farmer to have	400	1
Two other farmers, each 300 acres	600	2
Eight freeholders, each 300 acres	2400	8
Twenty-eight copyholders, each 100 acres — — —	2800	28
Land to be apportioned as aforeſaid, to 24 families at leaſt — —	600	24
Sum	8000	64

The gent. to have in demeſne	2000	1
Two good farmers, each 300 acres	600	2
Six freeholders, each 300 acres	1800	6
Twenty-one copyholders, each 100 acres — — —	2100	21
Land to be apportioned as aforeſaid, to 24 families at the leaſt	500	24
Sum	6000	54

The gent. to have in demeſne	800	1
Two good farmers, each 300 acres	600	2
Four freeholders, each 300 acres	1200	4
Ten houſholders, each 100 acros	1000	10
Land to be apportioned as aforeſaid, to 22 families at the leaſt -	400	22
Sum	4000	39

☞ The gentlemen that will undertake the having of ſo much ground in Ireland, as is contained in any of theſe diviſions, muſt undertake therewith the peopling of the ſame with families convenient, according to this proportion, to be performed in four years, *viz.* to a ſeignorie that doth contain in grounds

Articles

Articles to be by ſecretary Fenton delivered in her majeſty's name to the lord deputy of Ireland, to conſider the contents of them and their, &c.

FIRST, her majeſty calling to her remembrance how oftentimes orders have been deviſed and ſent unto that realm, to divers her juſtices and deputies there, wherein, and in ſundry other inſtructions delivered unto the deputies at their going into that realm, in any commandments, rules, and directions were contained, tending to the reformation of ſundry abuſes and enormities committed in the ordering of taxes and revenues, and other profits ariſing of her regalities and caſualties, and now perceiving by the continuance of the more part of thoſe former diſorders, and in ſome part, as it ſeemeth, of more deceits and corruptions in ſome miniſters, that her majeſty's poſſeſſions and revenues, and the yearly profits that ought to riſe of them, with the regal caſualties, are greatly diminiſhed, for lack of execution of ſome former orders as have been at ſundry times directed thither, and namely of ſuch as were ſent thither in the year of our Lord God 1579, in the time that Sir William Drury was juſtice: her majeſty, minding to be more faithfully and diligently ſerved, and better ſatisfied on this behalf, and the diſorders and abuſes reformed, hath thought it

it convenient, ſtraightly to charge and command, and ſo ſhe doth by theſe preſents, upon pain of her high diſpleaſure; the lord deputy being now firſt to prove deliberately theſe articles following, and to be further informed by her ſecretary there, of her majeſty's mind therein; and then, without delay, to call for ſuch of her council, and other officers to whom the contents thereof may any ways belong, and to impart the ſame unto them, and to charge them all well to conſider of the contents hereof; and after due conſideration and examination of every part thereof, by writing under their hands to make anſwers to every article hereafter following, in whoſe default the abuſes, diſorders, or deceits hath grown, and in what manner they ſhall determine to reform the ſame; and if any of the ſame abuſes have been reformed, to certify her majeſty of the particular cauſes ſo reformed, and the time of the ſaid reformation: and her majeſty's meaning is, that as well the lord deputy now being, as the chancellors, treaſurers there that late were, juſtices there, ſhall join in anſwer to be ſent to her majeſty, in all matters that in any wiſe may concern themſelves, or any of them.

The articles enſuing, that are to be anſwered.

FIRST, whether the profits of fines, amerciaments, recognizances, forfeitures, wards, marriages, and reliefs, have not been given away freely

freely, or pardoned, without anſwer and payment made unto her majeſty's exchequer, and to what value the ſame doth amount unto, that hath been ſo yearly given away, or pardoned, from Michaelmas in the year of our Lord 1579, and by what warrants and authorities the ſame hath been ſo done, and to whom thoſe gifts have been made; and likewiſe to certify what hath been yearly anſwered for the premiſſes during the ſame time, into her majeſty's exchequer, and how and by what warrant the ſame hath been iſſued and expended.

Item. What leaſes have been made during the ſame time, of her majeſty's lands or poſſeſſions, under the yearly value contained in the former ſurveys, or in any other record; and how much yearly rent hath been diminiſhed by ſuch grants and leaſes, and by whom, and by what warrant the ſame have been granted; and to conſider why the deceit therein uſed to her majeſty's diſſention ſhould not be reformed, and their values reduced to their former rate, according to the records.

Item. What leaſes have been made, with the ſame time, of any lands or other profits belonging to her majeſty's revenue, to any perſon, without any fines anſwered to her majeſty; and what hath been the particular yearly rent of the lands or profits ſo granted, without fine, and to certify alſo what fines for leaſes have yearly within that time above mentioned been anſwered to her majeſty, and how the ſame have been expended.

Item. What debts were in a total ſum due to her majeſty at the ſaid feaſt of Michaelmas, 1579, and what debts have grown yearly to her majeſty ſince the ſaid Michaelmas, and in whoſe default the ſame hath remained in arrearage, and not levied according to the courſe of the law provided for the levying of her majeſty's revenue, debts, and arrearages, and to certify how much of the former debt before the ſaid feaſt of Michaelmas is ſperable, and how much deſperate; and likewiſe how the late debts, grown ſince the ſaid feaſt of St. Michael, are to be levied and anſwered; and that all ſpeedy meansbe uſed for the levying and anſwering thereof. And to the intent the ſame may be accompliſhed with better effect, it is reaſon that the fees of ſuch offices, as by whoſe default the ſame debts and arrearages have grown, may be reſtrained of their fees and commodities, or rather to be ſequeſtered from the exerciſe of their offices, until the ſaid arrearages be duly paid.

Item. Where divers perſons have made ſurmiſes, that the lands which they held by leaſes, were waſted, and thereby have required to have remiſſion of their debts, in part, or in the whole, and that their requeſts have been remitted hither to be tried, it is to be now certified, what perſons have had any allowance of their rents or arrearages, in reſpect of the ſaid waſte ſo ſurmiſed, and how much rent or arrearage hath been ſo remitted, and what good proof hath

been

been made of the ſaid ſurmiſes, whether that the waſtes have been ſo great as have been pretended, or have been but in ſome part of the ſaid lands, ſo as there was no reaſon for the remiſſions to be ſo large.

Item. To certify what yearly profits and caſualties ſince the aforeſaid feaſt of Michaelmas, have been anſwered to her majeſty upon the ſheriffs accounts, and ſuch other miniſters accountable in the exchequer, and particularly to certify what ſums have been by warrants, called *mandamus*, allowed to be divided among the barons of the exchequer, and other clerks and miniſters there, and what have been the yearly ſums ſo defalked in any accounts, by virtue of the ſaid *mandamus*.

Item. Where divers corporate towns have return of writs, and do challenge the profits of amerciaments, fines, iſſues, bonds, and recognizances, and ſuch like, aſſeſſed in any of her majeſty's courts of her pleas or exchequer, or before any other judges or commiſſioners that is to be certified, how much yearly within the time aforeſaid, hath been withdrawn and detained from her majeſty by the pretences of any ſuch claims; and it is to be better conſidered, of what force any charters be, to carry away ſo great ſums, and eſpecially the royal fines and amerciaments due to the crown, which cannot paſs away without expreſs words in the grants, neither can any fine be demanded by force of ſuch charters, for any offence, that hath been

made an offence by any later laws, ſince the grant of ſuch, or thoſe charters; a matter negligently looked into, or rather corruptly ſuffered, by the officers of the exchequer.

Item. Where her majeſty's revenue is apparently diminiſhed, divers ways, and yet the ſame charged many ways, with increaſe of many new officers, fees, and allowances, it is to be certified what new offices, or fees, or increaſe of fees, have been within the time aforeſaid allowed, and by whom, and whoſe warrant, and the ſame from henceforth to ceaſe until her majeſty's pleaſure, upon better information, be ſignified by her own warrant.

Item. To certify what yearly allowances have been made to any commiſſioners, being directed to any accounts, and what the ſums have been of ſuch allowance, either by the name of diets, or for attendance, in the tye of the declaration of ſuch accounts; for that her majeſty is informed, that divers perſons, ſome being of her own council there, and appointed as commiſſioners to attend the declaration of accompts, have been allowed large diets by the day, either by their own authority, or by their procurement, whereof her majeſty requireth to be particularly certified.

Item. Where, of late years, certain Iriſhmen have made ſurrenders by pretence, of their own lands, and obtained grants of the ſame, where many times her majeſty's own poſſeſſions having been uſurped and detained by them, have been contained

contained within the ſaid ſurrenders; it is to be certified, whether in the new grants made to the ſaid Iriſhmen, upon their ſaid ſurrenders, there have not been ſpecial reſervations, as well to her majeſty, for her rights, as to other men's lands comprized within the ſaid ſurrenders and grants; and alſo to be certified how many of ſuch grants made to the Iriſh, have not been certified into the exchequer, where any rent or duties, reſerved upon the ſaid new grants, might be put in charge, and anſwered, and what rents are due upon ſuch new grants, and how much thereof is anſwered yearly.

Item. Where there was of late time a certain number of footmen called galloglaſs, who had for their ſtipend certain bonnaughts, anſwered out of Iriſh counties, without charge to her majeſty, and that the ſame galloglaſs have been diſcharged, by way of compoſition, as well with the ſaid galloglaſs, as with the Iriſh counties that bare them, whereby it was pretended, that a yearly revenue of 1000*l.* or more, ſhould be anſwered to her majeſty; it is to be certified, whether, and how much of the ſame hath been anſwered to her majeſty yearly ſince the compoſition; and whether there hath not been a new charge of two or three hundred pounds, that hath been yearly paid to the captains of thoſe galloglaſs, and yet no ſervice by them done for the ſame.

Item. To certify what ſeneſchalſhips and governors of counties, lordſhips, and territories,

have been within the time aforeſaid granted to any perſons without reſervation of ſuch ſervices and duties, as heretofore were anſwered out of the ſame; and what have been the ancient ſervices and duties heretofore anſwered out of the ſaid offices, and to ſtay the grant of any ſuch offices, but at the will of her majeſty.

Item. Where, during the time of the laſt rebellion, certain extraordinary numbers of ſoldiers were put into fortreſſes and caſtles for their better ſecurity during the troubles, without intention to continue the ſame, to the increaſe of her majeſty's charge, it is to be certified, what numbers were ſo, by way of increaſe, ſince the beginning of the laſt rebellion of Deſmond, allowed to any of the ſaid forts or caſtles, and by what warrant the ſame are continued; and how many of the ſame may reaſonably be diſcharged, and to diſcharge the ſame.

Item. Where her majeſty's revenues are paid to her coffers, after the rate of Iriſh money, which is a fourth part leſs than if they were paid in ſterling: and yet divers perſons within that realm, who of ancient time were paid their fees and allowances according to the ſame rate of Iriſh, and not of ſterling, are now paid, as her majeſty underſtandeth, according to the rate of ſterling monies of England, whereby they have gained a fourth part above their accuſtomed fees; it is to be certified, how many of ſuch perſons are at this day paid their fees and allowances, after the rate of Engliſh money, whoſe

offices were heretofore, at the beginning of her majeſty's reign, anſwered but with the rate of Iriſh money, and how much loſs thereby her majeſty doth yearly ſuſtain, and by what warrant the ſame increaſe hath been allowed and paid.

Item. It is not meant that the poſſeſſions of the lands or chattles, lately eſcheated by the rebellions in Munſter, or elſewhere in that realm, ſhould be in the power and authority of the lord deputy, or other the commanders, to be ſet, demiſed, or granted, but the ſame to be ſtayed at her majeſty's will and pleaſure, until further order be taken; and for this purpoſe it is to be certified, whether any part of the ſaid eſcheated lands or chattles have been demiſed, or any cuſtodies granted, and what rents and profits have been anſwered for the ſame, or be anſwerable, and by whom, and by what authority and warrant the ſame have been ſo granted.

Item. Her majeſty will be certified how much money hath been paid upon grant, made for keeping of certain boats upon the Shannon, and to whom the ſame hath been paid, and when the ſame did ceaſe, according as her majeſty did give expreſs order for the ſame. Finally, her majeſty willeth and chargeth the lord deputy, and all other of her council, whom theſe articles ſhall concern, and alſo all other officers of her revenue, and namely, the auditor there, who ought, by virtue of his office, to be the moſt underſtanding of theſe abuſes, particularly to

deliver their anſwers to every part that ſhall concern them, as they will afterwards anſwer to her majeſty at their peril, upon further trial as her majeſty ſhall have cauſe to make, of the truth of their certificates. And though the particular anſwers of all the articles, and of the ſeveral parts thereof, may ſeem to require ſome longer time than her majeſty expecteth, yet her pleaſure is, that without delay of time, and from time to time, ſo much of the ſame may be certified thereof, that her majeſty may well perceive that there is no delay uſed; and her expreſs commandment is, that the ſecretary, the bearer hereof, ſhall, from time to time, in her majeſty's name, charge the lord deputy and the council to be careful hereof, for ſatisfaction of her majeſty, as they tender her favour, and not to ſend them apart, as her majeſty hath cauſe to think that many former inſtructions have been.

The heads of an Inſtruction for ſecretary Fenton, Eſq; to be communicated to the lord deputy, for peopling of Munſter, November, 1585.

IMMEDIATELY after your return into Ireland, you ſhall acquaint the lord deputy with the plot ſet down, and delivered you here, for the peopling of Munſter; and further, you ſhall ſignify to him, that it is her majeſty's pleaſure, he preſently confer with ſuch of the council there

as

as he ſhall think fit, upon the ſame plot, and certify, either with all poſſible ſpeed, his own and their opinion thereof, and what they think meet to be either added or reformed in the ſame; whereupon, he and the council there, ſhall forthwith receive anſwer and further direction from hence, as the cauſe ſhall require. And becauſe there is no one thing like to breed ſo great a difficulty in the execution of this plot, as the lands of the freeholders, ſuch as, either fully pardoned of life and land, or otherwiſe, not to be touched with any diſloyalty, which lie intermixed with the lands eſcheated to her majeſty,; we think it meet that certain commiſſioners, whereof ſome to be learned in the laws, by the lord deputy and council there, appointed to repair into Munſter, and authorized to call before them all the aforeſaid freeholders and copyholders, having lands ſo intermixed with the eſcheated lands, and to appoint them, at ſome time prefixed, to ſhew their evidences for ſuch lands as they pretend title unto; for which purpoſe we think Mr. Smiths, now juſtice in Munſter, and Mr. Meagle, ſecond juſtice there, meet men to be employed in that ſervice, unleſs the lord deputy and council there ſhall know any others of the profeſſion of the law more apt, either in Munſter, or to be ſent from Dublin for that purpoſe. Thoſe commanders chief travail muſt be, by viewing the evidences of the ſaid freeholders and copy-holders, to diſcern and judge of the validity of their titles, whereby ſuch

ſuch freeholders as ſhall be found to have good titles, and their lands ſo intermixed with the attainted lands, as may breed ſome quarrel between the ſaid freeholders and copy-holders; and ſuch as ſhall come over to inhabit there, may be reaſonably compounded withal, ſo as it may be without offence, and with their good liking. It is alſo thought meet, that a ſurvey be taken of the freeholds and copyholds eſcheated unto her majeſty for default of heirs, whereof there hath as yet been no ſurvey taken by Sir Valentine Brown. And for the better performance of this ſervice, it is thought meet, that the lord deputy and council ſhall give theſe commiſſioners ſuch further and ſecret inſtructions, as they ſhall think convenient. And whereas we are informed alſo, that the lands of her majeſty, which be now leaſed and intermixed wtth the ſaid eſcheated lands, may be likewiſe ſome impediment for the ſaid plot, the aforeſaid commiſſioners ſhall have like power given them by the lord deputy and council there, to call all ſuch her majeſty's leſſees before them, and view their leaſes, and the ſame not juſtly to be avoided, to treat with them for ſome reaſonable compoſition.

Special charge is to be given by the lord deputy to the ſaid commiſſioners, that in dealing with theſe freeholders and leſſees, no offence be given to them, as though there were any intent or meaning to deprive them without recompence to their contentment, of their right in ſuch lands, as they do pretend to appertain to them.

And

And touching the eſcheated lands, already granted by *cuſtodiams*, you ſhall let the ſaid lord deputy underſtand, that her majeſty's pleaſure is, that no perſon having *cuſtodiams* ſhall enjoy the ſame, unleſs he be contented to accept of the ſame with the conditions that are here accorded on in England in the aforeſaid plot, as ſhall otherwiſe be altered here, after return of your opinion; and that you ſhall make it probable unto the lord deputy and council, that he ſhall be able to perform the ſaid conditions.

And moreover, becauſe theſe eſcheated lands in Munſter be not ſo thoroughly ſurveyed as is requiſite, we think good, that the lord deputy and council there appoint meet perſons to ſurvey the ſame as near as may be, according to the plot aforeſaid, with reſpect as well of the goodneſs as of the quantity of the ground; and for this perfecter ſurvey to be taken in this ſort, we think, beſides her majeſty's ſurveyor there, if his health will permit, Mr. Payton Manwaring, Thomas Wiſeman, and Robbins, fit men, or ſome of them, to be employed in that ſervice to the ſaid commiſſioners and perſons, as well for the calling of the freeholders aforeſaid before them, and viewing their evidences, as for the ſurveying of the lands eſcheated, and other intermixed, we think that very neceſſary, the lord deputy and council there, give order to the vice preſident of Munſter, to appoint certain of the garriſon there to attend on the ſaid commiſſioners for their better ſafety, and to appoint

point them for their diets and other neceſſary charges, ſuch allowance during the ſervice, as by them ſhall be thought meet, to the end, that before the end of this next ſummer, the places may be appointed for the planting of the pariſhes, according to the aforeſaid plot ſet down for the purpoſe. And whereas it is thought convenient, that ſome portion of land ſhould be appointed for the preſident of Munſter, in ſuch places of that province, as that it ſhall be thought meet for him to reſide in, that the portion exceed not, in any one place, the quantity of 500 acres for a demeſne for his houſe, and the finding of his horſes, whereby the country may not be oppreſſed with ceſs.

And whereas the ſeneſchal Patrick Condon, and certain other principal perſons of that province, that are pardoned of their lives; it is thought meet, that the lord deputy and council take into their conſideration where, and what reaſonable portion of land, in ſome convenient place with leaſt annoyance, of ſuch as ſhall come in and inhabit there, may be allotted to every of them, leſt otherwiſe, no reſpect being had of them, they, through deſperation, may be driven to attempt ſomewhat to the diſquieting of the ſaid parties that ſhall repair into that realm to inhabit there.

A copy

A copy of the Compoſition of 2100l. *per annum,* to be anſwered to her majeſty. Entered in the council-book May 1586.

WHEREAS the queen's moſt excellent majeſty, having a princely care for to eaſe her ſubjects in that realm of the burthen of ceſſe, and other charge of ſoldiers, which from time to time hath been laid upon them, hath entered into conſideration of the compoſition formerly taken of 2100*l.* ſterling, heretofore aſſented unto, and for that end hath ſignified her pleaſure, either by a ſpecial inſtruction, contained in a book among other things, and intitled, "Inſtructions by the queen's majeſty, to be "communicated and imparted by Jeffery Fenton, her high ſecretary in Ireland, to the lord "deputy and council there. At Greenwich, "the 26th of February, 1585." Which inſtruction is recited in theſe words: Whereas the compoſition of 2100l. ſterling, heretofore aſſented unto, hath been of the ſpace of divers years omitted, and not levied; we, underſtanding by letters from ſome of the L. L. of the pale, that it is a matter agreeable to the country, have therefore thought meet the ſame ſhould be continued and revived, until we ſhall give direction to the contrary; and therefore, our pleaſure is, that the ſame lord deputy cauſe to be

be aſſembled the nobility and grand council, according to the former uſage in like caſes, and to move them to renew and accept the ſaid compoſition, upon condition, that they aſſenting thereunto, the ſame ſhall ſtand in lieu of ceſſe in ſuch countries as ſhall ſtand and yield to the contribution, as well for the army, as for all other duties heretofore impoſed for the lord deputy's houſe, and the ſame to continue during our pleaſure. And whereas heretofore the countries of Kilkenny, Tipperary, Wexford, Carlow, and the counties of Leix and Offally, were contributors to this compoſition, according to ſuch rate and portion as was ſet down in the council-book there; we ſee no cauſe that they ſhould be diſpenſed withal, but every one to bear their ſeveral ſhares and part as is allotted upon them; which if they ſhall refuſe to do, then may the lord deputy lay ſoldiers upon them, according to the meaſure and rates of their parts of their bearing, wherein, nevertheleſs, regard is to be had to favour, and eaſe as much as may be, ſuch of the ſaid countries and ſuch part thereof as lye waſte, and are impoveriſhed moſt, (as it is informed that ſome part of Carlough is) upon which inſtruction the nobility and grand council this day were aſſembled, the ſaid article read, and her majeſty's bounty and grace offered, and exclaimed by the lord deputy, demanding of them, whether they would accept of the ſame compoſition, and conſent to the yielding thereunto; who not only freely

freely aſſented with one voice, but alſo did acknowledge themſelves much bound to her majeſty, in that her highneſs had this princely care over them, to receive this compoſition of 2100*l.* ſterling in lieu of ceſſe, as well for the army, as for all other duties impoſed for the lord deputies, to be levied in ſuch ſhires and countries, as in her majeſty's article and inſtruction above recited is contained. And further, whereas the ſaid lord deputy, in the behalf of her majeſty, hath ſignified unto us the L. L. and others of her majeſty's nobility and council, that her highneſs's pleaſure was, that we of the parle, and others who have heretofore yielded to the anſwering of the ſaid compoſition, ſhould make payment, as well of that which hath not been levied ſince the time that the ſoldiers have not been upon the country, as alſo of that which ſhould upon treaty with us the L. L. and others of the parle, to be by them aſſented unto, to be yielded by way of compoſition in time to come; and to that effect did ſhew unto us a part of a letter directed to his L. ſigned by her majeſty, the tenor of which article enſueth. And becauſe we have by ſpecial inſtructions, delivered unto ſecretary Fenton, giving order for the reviving of the compoſition of 2100*l.* in lieu of ceſſe which hath been omitted well near the ſpace of ſeven years, in reſpect of the ſoldiers, were ſometimes ceſſed upon the country; by which ſaid inſtructions, foraſmuch as it is not ordered that the country ſhould be dealt withal,

withal, for the anſwering of ſo much of the compoſition as is due ſince the time that the ſoldiers have not been laid upon them, which is now well near by the ſpace of three years: our pleaſure therefore is, that you ſhall deal with thoſe of the pale, and others who have heretofore yielded to the anſwering of the ſaid compoſition, to make payment as well of that which hath not been levied ſince the time that ſoldiers have not been ceſſed upon the country, as alſo of that which ſhall upon treaty with the L. L. and others of the pale, to be by them aſſented and yielded unto, by way of compoſition, in time to come. Given under our ſignet, at our manor of Greenwich, the 26th of February, 1585, in the 28th year of our reign.

FORASMUCH as her majeſty, in her former Inſtructions, hath moſt graciouſly and bountifully dealt with us, and the reſt of her majeſty's ſubjects here, which hath been as acceptably taken and received, and moſt willingly yielded unto; ſo, in like ſort, to the end we may make manifeſt to her majeſty, our willingneſs to yield to her direction, and acknowledge our bounden duties to her majeſty for ſo gracious a benefit, we are well contented, and do all hereby conſent and agree, that the ſaid compoſition of 2100*l.* ſterling, ſhall be levied and taken to her majeſty's uſe, as well for the time paſt, according to her majeſty's letter, as alſo for the time to come, during her majeſty's pleaſure; and therefore

we,

we, the lord deputy, nobility, and council, and grand council, whoſe names are hereunto ſubſcribed, with the aſſent whole voice of the chiefeſt and moſt part of the gentlemen of the pale, do hereby promiſe to ſtand to the ſaid compoſition of 2100*l.* ſterling, in manner as before is recited, to be levied, taken, and reared to her majeſty's uſe yearly, as alſo from year to year after, to continue for ſo long time as it ſhall pleaſe her majeſty, according to the ſaid Inſtruction. And it is further agreed, that the two former acts of grand council, entered in this book, folio 288. and folio 290. the one bearing date the 29th of January 1585, the other the 28th of September 1585, provided by the lord deputy and grand council for a compoſition in lieu and ſatisfaction of the ceſſe and victualling of the garriſon, from Michaelmas 1584, hitherto, ſhall be utterly void, and held as concluded within this article of agreement, and the ſaid ſhires and countries henceforth not otherwiſe to be charged, than is contained in this act. Given at her majeſty's caſtle of Dublin, the 15th of May 1586.

John Perrott.
Jo. Armalham.
Ad. Dublin, can.
Tho. Miden.
O Gormanſton.
Tho. Slane.
Jo. Killmoren.
O Delum.
Hen. Walloppe.

 A copy

A copy of Sorlie M'Donnell's ſubmiſſion.

MOST honourable governor, it is and may be truly ſaid, there is no unhappineſs comparable to his, that may ſay he hath been once in good eſtate, and is fallen from it through his own folly. Amongſt many others, in that caſe, I may, and do reckon myſelf for none of the leaſt; for being a man born out of this realm, and gotten large poſſeſſions in the ſame, whereupon I lived, though I might claim none by inheritance, I have very inconſiderately preſumed to think I might as well hold it, as I got it by ſtrong hand, carried on with this imagination, as one ignorant of her majeſty's might and force; and withal, ill-perſuaded by others, I unhappily refuſed to come in to your lordſhip, as the reſt of Ulſter did, almoſt now two years paſt, thinking it might ſuffice for me, upon your lordſhip's repair into thoſe parts, to write a letter of ſome kind obſervance unto you, with an offer, after a ſort, to come myſelf alſo, upon ſuch capitulations, as now to my ſmart I find were unmeet for me to make. But your lordſhip having no mind, as it hath well appeared, to make advantage of my raſh overſight, vouchſafed to licence the earl of Tyrone, and Sir Edward More, to ſend unto me ſuch gracious conditions, as I grieve to think that I refuſed them. And with the unadviſed letters I writ to your lordſhip, the haughty words I uttered, and the undiſcreet

undiſcreet demands I then made (to have men of far better ſort than myſelf to lie in pledge for me) were buried up in forgetfulneſs. I condemn my folly in leaving ſuch men in the caſtle of Dunluce, within this her highneſs's land (as ſhould ſay) they kept it in the name, and to the uſe of the king of Scots, a prince that honoureth her majeſty, and embraceth her favour. I ſorrow for my perſeverance in that purpoſe, whereby I have unjuſtly drawn her majeſty's force, and whet her highneſs's ſword againſt me, which hath ſlain my ſon, and moſt of my people, ſpoiled me of my goods, and left me with a few diſtreſſed, being no way able to ſtand againſt her majeſty's force; wherefore, I do proſtrate myſelf at the feet of her majeſty's clemency, ſubmitting myſelf wholly thereunto, and moſt humbly praying to be reſtored only thereby, through her noble favour, that is accuſtomed as well to pity the humble, as to ſuppreſs the proud and obſtinate. And I do moſt faithfully promiſe, to depend for ever, upon her majeſty's gracious goodneſs, according to ſuch conditions, as it ſhall pleaſe your moſt honourable lordſhip to afford me, on the behalf of her highneſs, whom I pray God long to preſerve. Amen.

Your moſt humble ſuppliant,

Fra. Strafford. SORLIE M'DONNEL.
Will. Warren.

Copy of Neile Oge's ſubmiſſion.

I WISH (moſt worthy lord deputy) I might produce my late father's good deſerts, ſealed with his blood, in her majeſty's ſervice, as an ornament to my name, and a means to further my well-doing; but alas! I grieve to think that I have with my undutifulneſs blemiſhed the ſame, as I dare not hope that the memory thereof may any thing mitigate the diſpleaſure that I have deſerved, where, if my late brother and I had grace, either to follow his ſteps, or to have ſhewed ourſelves worthy that favour your lordſhip moſt honourably and freely vouchſafed to us both, at our laſt being at Clandhuboy, I might have ſtood up with comfort before your lordſhip, expecting your good word, and good deed, where now I lie with ſorrow, proſtrate at your feet, attending for her majeſty's mercy. I ſilly worm, do, with many more ſuch, feel to our ſmart, what it is to ſtand againſt her majeſty's force; by it I acknowledge myſelf thus humbled, repoſing now comfort in nothing elſe, but in her majeſty's clemency, which I will, during my life, endeavour myſelf no leſs to deſerve, than I hope Mr. Strafford, governor of the force in Clandhuboy, will witneſs I have done ſince I forſook the Scots, and my ways: and ſo with God's favour I mean and may put out the ſtain I have made in my loyalty

loyalty to her moſt excellent majeſty, whom I pray God to bleſs and proſper. Amen.

Your honour's ſuppliant,

Fra. Strafford.
Will. Warren.
NEILE OGE.

A copy of Shane M'Bryan O'Neile's ſubmiſſion, June 1586.

MY ſingular good lord, I may and humbly do refer my duty and readineſs at all times to ſerve her moſt excellent majeſty, to your lordſhip's honourable conſideration ; it hath been heretofore moſt graciouſly accepted and recompenced ; your lordſhip hath by your words and writing, vouchſafed to teſtify it to my comfort, and Mr. Strafford here preſent, that hath worthly governed her majeſty's forces in Clandhuboy, by your lordſhip's noble directions, I doubt not will report it. But my gracious good lord, I am not now to plead it, ſith the late unfortunate fact committed by my men, in killing of Hugh Oge, hath defaced the reputation of it. I am heartily ſorry for that ill fact ſo by them committed, he being, upon the governor's direction, to come unto your honour ; yet, ſith he was ſo caſually met with, and killed by my followers, whoſe men and kinſmen he had killed before, and alſo my brother who was foſtered by the chief nation under me, and the memory of my brother's blood their foſterer, and their

own kinſmens death, did revive and ſtir in them ſuch a natural paſſion on the ſudden, as did overcome the fear of God, her majeſty's laws, and their reaſon; I humbly pray, that my ſorrowful repentance may be ſome ſatisfaction for that raſh, unadviſed fact, happening through natural frailty, committed by my men, and not done of malicious purpoſe, I coming with as much ſpeed as might be, to appeaſe the matter, but could not prevail, they being ſo maliciouſly bent for revenge. And that therefore your lordſhip of your own accuſtomed goodneſs, mitigating the rigour of law, will vouchſafe to extend her majeſty's mercy upon me, that do here upon my knees, as well as my heart as of my body, humbly and lamentably beg the ſame, beſeeching God long to bleſs and preſerve her majeſty's royal eſtate; and to grant your lordſhip a continuance, with increaſe of happineſs in government, which cauſeth me and all others, thus humbly to ſubmit and proſtrate ourſelves at your feet. Amen.

Your lordſhip's moſt humble ſuppliant.

SHANE O'NEILE.

A BRIEF

A BRIEF

DECLARATION

OF THE

GOVERNMENT of IRELAND.

Opening many Corruptions in the ſame. Diſcovering the Diſcontentments of the Irishery; and the Cauſes moving thoſe expected Troubles:

AND,

Shewing means how to eſtabliſh Quietneſs in that Kingdom honourably, to your Majeſty's profit, without any encreaſe of Charge.

Wrote in the Government of Sir William Fitz-Williams, who was ſix Years Lord Deputy in *Ireland*; that is, from the Year 1588 to the Year 1594.

By Captain THOMAS LEE, 1594.
Anno Regni Reginæ 37°.

To the Queen's moſt excellent MAJESTY.

UNDERSTANDING, moſt gracious ſovereign, the proud and inſolent terms the lords of the north of Ireland do now ſtand upon, it maketh me bold to ſet down my knowledge of thoſe parts to your majeſty, becauſe I have often debated with the chiefs of them, what was fit they ſhould yield unto your majeſty; and that it was unmeet for them in any ſort to condition with your highneſs: in the end (after long debating) they ſeemed ſomewhat to like and allow of that which I demanded, as hereafter ſhall appear. And becauſe your majeſty may the better judge the cauſes of their diſcontentments, I have here ſet down the unconſcionable courſes which have been held towards them, which being remedied, and that they may ſee your majeſty doth no way allow of the ſame, there is no doubt (notwithſtanding all their proud ſhews of diſloyalty) but that they may be brought to dutiful obedience, and to yield you that profit which neither your majeſty now hath, nor any of your progenitors ever had; ſo as they may likewiſe have that which they demand, being nothing unfit for your majeſty to grant. In which diſcourſe, if any thing ſhould ſeem unpleaſing to your majeſty, I humbly beſeech you to paſs it over, and to peruſe the reſt,

whereof

whereof I doubt not, but ſomething will content your highneſs, for that it tendeth to your highneſs's ſervice and commodity.

My meaning, whereby your highneſs's profit may ariſe, is by O'Donnel, Maguire, Bryan Oge, O'Rorke, and Bryan Oge Mc Mahon.

The demands I made for your majeſty were theſe, that they ſhould receive your majeſty's forces into their countries; and your laws to go current, as they did in other places; and ſome part of their countries to be reſerved for your majeſty, to diſpoſe unto them who ſhould govern them, and they to charge themſelves with that proportion that was fit for them to bear.

To thoſe demands they all yielded, ſo that they might have ſuch gentlemen choſen, as they knew would uſe no treachery nor hard meaſures towards them, but to live upon that which your majeſty would allow; and that which they would give of their free conſents, and to be no further charged; and they would be as dutiful as any other country in Ireland now is. And how this may be performed, I have made bold with your majeſty's favourable liking, here to ſet down upon my knowledge, both how your majeſty's forces may be received with their conſent, and they to yield great profit in diſcharge of that which your majeſty allows to the ſoldiers, and the ſoldiers to be well ſatisfied.

The cauſe they have to ſtand upon thoſe terms, and to ſeek for better aſſurance, is the harſh practices uſed againſt others, by thoſe who have

have been placed in authority, to protect men for your majeſty's ſervice, which they have greatly abuſed and uſed in this ſort.

THEY have drawn unto them by protection, three or four hundred of theſe country people, under colour to do your majeſty ſervice, and brought them to a place of meeting, where your garriſon ſoldiers were appointed to be, who have there moſt diſhonourably put them all to the ſword; and this hath been by the conſent and practice of the lord deputy for the time being. If this be a good courſe to draw theſe ſavage people to the ſtate, to do your majeſty ſervice, and not rather to enforce them to ſtand upon their guard, I humbly leave to your majeſty.

WHEN ſome one who hath been a bad member (pardoned by your majeſty) hath heard himſelf exclaimed upon to be a notable thief after his pardon; and hath ſimply come in without any bonds, or any other enforcement, to an open ſeſſion, to take his trial, by your majeſty's laws, if any could accuſe him: notwithſtanding his coming in after this manner, and without any trial at the time (becauſe he was a bad man in times paſt) there hath been order given in that ſeſſion for the execution of him; and ſo he has loſt his life, to the great diſhonour of your majeſty, and diſcredit of your laws.

THERE have alſo been divers others pardoned by your majeſty, who have been held very dangerous men, and after their pardon have lived very dutifully, and done your majeſty great ſervice,

vice, and many of them have loſt their lives therein; yet, upon ſmall ſuggeſtions to the lord deputy, that they ſhould be ſpoilers of your majeſty's ſubjects, notwithſtanding their pardon, there have been bonds demanded of them for their appearance at the next ſeſſions. They knowing themſelves guiltleſs, have moſt willingly entered into bonds, and appeared, and there (no matter being found to charge them) they have been arraigned only for being in company with ſome one of your highneſs's ſervitors, at the killing of notorious known traitors; and for that only have been condemned of treaſon and loſt their lives: and this diſhoneſt practice hath been by the conſent of your deputies.

When there have been notable traitors in arms againſt your majeſty, and ſums of money offered for their heads, yet could by no means be compaſſed, they have in the end (of their own accord) made means for their pardon, offering to do great ſervice, which they have accordingly performed, to the contentment of the ſtate, and thereupon received pardon, and have put in ſureties for their good behaviour, and to be anſwerable at all times, at aſſizes and ſeſſions, when they ſhould be called; yet, notwithſtanding, there have been ſecret commiſſions given for the murdering of thoſe men. They have been often ſet upon by the ſheriffs of ſhires, to whom the commiſſions were directed, in ſundry of which aſſaults, ſome of them have been killed, and others have hardly eſcaped. And after all this,

they

they have ſimply come without pardon or protection, to an open place of juſtice, to ſubmit themſelves to your majeſty's laws, where they have been put to their trial upon ſeveral indictments, of all which they have been acquitted, and ſet at liberty. If this be a courſe allowable, for poor men to be handled in this manner, and to be at no time in ſafety of their lives, I humbly leave to your majeſty.

When many notorious offenders have ſubmitted themſelves to your majeſty's mercy, and have been accepted, and have had their pardons, and have put in good aſſurance to be at all times anſwerable to your laws; the chiefeſt rebel (whoſe followers they were) hath been countenanced and borne out by your ſtate, to rob and ſpoil, burn and kill, theſe poor men who did thus ſubmit themſelves, when they have very pitifully complained againſt that arch-rebel and his complices, of theſe outrages, they have been ſharply rebuked and reproved for their ſpeeches, and left void of all remedy for their loſſes, ſo as in the end they have made petition to have licence by their own means, and help of their friends, to recover their goods from the rebels, they have been rejected, and utterly diſcomforted, yet, nevertheleſs, remained dutiful ſubjects, although they ſee that ſuch as continue notorious malefactors, are in far more ſafety than they who depend upon your majeſty's defence.

For it is well to be proved, that in one of your majeſty's civil ſhires, there lived an Iriſhman,

peaceably

peaceably and quietly, as a good ſubject, many years together, whereby he grew into great wealth, which his landlord thirſting after (and deſirous to remove him from his land) entered into practice with the ſheriff of the ſhire, to diſpatch this ſimple man, and divide his goods between them; they ſent one of his own ſervants for him, and he coming with his ſervant, they preſently took his man, who was their meſſenger and hanged him, and keeping the maſter priſoner, went immediately to his dwelling, and ſhared his ſubſtance (which was of great value) between them, turning his wife, and many children to begging. After they had kept him faſt for a ſeaſon with the ſheriff, they carried him to the caſtle of Dublin, where he lay by the ſpace of two or three terms; and having no matter objected againſt him, whereupon to be tried by law, they by their credit and countenance, being both Engliſh gentlemen, and he who was the landlord (the chiefeſt man in the ſhire) informed the lord deputy ſo hardly of him, as that without indictment or trial they executed him, to the great ſcandal of your majeſty's ſtate there, and impeachment of your laws. For if this man had been ſuch an offender as they urged, why was he not tried by ordinary courſe of law, whereby good example of juſtice might have been ſhewed, and your highneſs benefited by his wealth, which they ſhared; but to cut him off by martial law, who was a good houſholder, inhabiting a civil country, always liable

liable to law, and laſt impriſoned in Dublin (where all the laws of that land have their head) was in my conceit rather rigour than juſtice; for as martial law is very neceſſary, and (in my opinion) ought to be granted to all governors of remote and ſavage places, where your majeſty's laws are not received, with all other authority and power ſeverely and ſharply to cut off or puniſh offenders, according to the quality of their offence, until ſuch time as the people ſhall become civil, and embrace the laws, and peaceable living (for 'till then they are not to be governed without the like meaſure of juſtice) ſo to uſe the ſame where the people are civil and obedient to other laws, is very indirect, and ſavours of cruelty; and yet this, and the like exemplary juſtice, is miniſtered to your majeſty's poor ſubjects there, who, if they have once been offenders, live they never ſo honeſtly afterwards, if they grow to any wealth, are ſure by one indirect means or other to be cut off.

When there have been means made to an aged gentleman (never traitor againſt your majeſty, neither he nor any of his anceſtors, and dwelling in one of the remoteſt parts of your kingdom) to come into your ſtate; and that the hard courſes uſed to others, made him demand ſecurity for his coming in, which hath been ſent unto him by great oaths and proteſtations, delivered by the meſſenger, whereof he hath accepted, and thereupon come in; yet, notwithſtanding all theſe promiſed ſafeties, this aged gentleman

man hath been detained priſoner ſix years, and ſo yet remaineth. And his impriſonment is the only colour to ſatisfy your majeſty for a wonderful great charge, which your majeſty and your ſubjects were then put unto. But his detaining contrary to promiſe, hath bred great fear in all or moſt of his ſort (in thoſe parts) of crediting what your ſtate there ſhall promiſe.

When upon the death of a great lord of a country, there hath been another nominated, choſen, and created, he hath been entertained with fair ſpeeches, taken down into his country, and for the offences of other men, indictments have been framed againſt him, whereupon he hath been found guilty, and ſo loſt his life; which hath bred ſuch a terror in other great lords of the like meaſure, as maketh them ſtand upon thoſe terms which now they do.

When there hath been a ſtratagem uſed for the taking into your majeſty's hands a young youth, the heir of a great country, by whoſe taking his whole country would have been held in obedience, the practice whereof was moſt good and commendable; yet (after the obtaining of him) his manner of uſage was moſt diſhonourable and diſcommendable, and neither allowable before God nor man. My reaſons are theſe: he being young, and being taken by this ſtratagem, having never offended, was impriſoned with great ſeverity, many irons laid upon him as if he had been a notable traitor and malefactor, and kept ſtill amongſt thoſe who were ever

ever notorious traitors againſt your majeſty; having no other council or advice, or company, but theirs, what good could come to this young man for his education amongſt ſuch, I humbly refer to your highneſs.

The taking of him as is aforeſaid, was moſt commendable, and for the good of that country, ſo he had been brought up in this manner, preſently to have been ſent to your majeſty, to have been inſtructed in the fear of God, to have known his duty to your majeſty, and to have been furniſhed with all neceſſary parts for a gentleman. And as your majeſty ſhould have found his diſpoſition, ſo either to have detained him here or ſent him home into his country, whoſe good example (by his virtuous training up) might have done God and your majeſty much good ſervice in thoſe parts.

I have been the more bold to diſcover unto your majeſty the diſhonourable managing of your ſervice there, by the indirect cutting off of ſundry your majeſty's poor ſubjects, becauſe it pleaſed your highneſs (many years ſince) to impart unto me, how much you abhorred to have your people there dealt withal, by any practice, but only upright juſtice, by your majeſty's laws and forces, which being otherwiſe handled, I deſire to make known unto your majeſty, and your moſt honourable council, for redreſs thereof.

But I fear, that they who have well liked that courſe, and have been practiſers of the ſame, will inform your majeſty, that thoſe people are ſo bad,

 as

as it is no matter of conſcience to cut them off any way howſoever, which is (in my opinion) for none but tyrants and beggarly princes to imitate. But your majeſty being of ſo great power to offend the mightieſt kings of the world, and to revenge yourſelf upon them, may with much honour ſuppreſs your own vaſſals, by your highneſs's laws and forces, wherewith you are at charge in thoſe parts for that purpoſe.

THESE principal inſtruments, as the lord deputy, and they who have been his aſſiſtants in thoſe diſhoneſt practices, have not only uſed theſe bad means againſt thoſe poor remote and ſavage people, but have done all their endeavours (ſo far as in them lay) to diſcomfort and diſcredit your majeſty's beſt ſervitors, living under their commands, becauſe they miſliked to execute ſuch unjuſt practices and devices; and to allow of their covetous, unconſcionable and diſhonourable gettings.

I AM emboldened, moſt gracious ſovereign, to declare thus much, becauſe, not only my poor ſelf (one of the meaneſt in that place of ſervice) have been partaker of it; but ſome of your majeſty's chief officers alſo have taſted the indiſcreet bitterneſs of the two laſt lord deputies, as namely, Sir Robert Gardiner, in his place of juſtice, a moſt worthy man, and void of all manner of corruption; and Sir Richard Bingham, in his place of government, againſt whom (even within his own juriſdiction) traitors have been ſuborned and countenanced by them, and the

the like, in nature, though not in quality, hath been done againſt myſelf; and as for Sir Richard, there was never man in his place that hath done your majeſty like honourable ſervice, without increaſe of charge. For my own part, I leave the report of my ſervice, to ſuch as know it, and have ſeen it; yet have they not only done me injuſtice there, but have alſo uſed their beſt friends and credit here, to obſcure my good deſerts, and to make (as far as in them lieth) me a man to be hated of your majeſty, depreſſing me with all their might and authority there, and croſſing me with all their ability and malice here, not becauſe I have ſlacked or not performed your majeſty's ſervice at any time, but for that I have afore time, and now, diſcovered unto your highneſs their diſhonourable dealings, and intolerable corruptions.

AND I deſire not that your majeſty ſhould either ſimply credit me in this my plain detecting them, nor they in excuſing themſelves; but, if it pleaſe your highneſs, to appoint commiſſioners in that realm for the trial, if I prove not directly all that ever I have here declared, let me loſe your gracious favour for ever.

THUS far of the diſordered courſes there held, all which notwithſtanding, your majeſty's profit, may ariſe in thoſe parts, in ſort, as followeth:

FIRST, for O'Donnel's country, it may pleaſe your majeſty to ſend thither theſe gentlemen, againſt whom O'Donnel nor his country can take any exceptions; neither your ſtate there can

think them unfit for judgment or ability; namely, captain Anthony Brabazon, to be ſeneſchal of that country, and to have under his charge 25 horſe; captain Nathaniel Smith, to have 100 foot; captain William Warren, to have his 5 horſemen reſtored to him (which Sir William Fitz-Williams beſtowed upon others) and added to the 20 which he hath, to ſtrengthen his band, and to be ſent thither to be ſheriff of that county. And for the ſettling of your majeſty's forces there, to reſerve theſe lands to be inhabited by thoſe whom thoſe gentlemen ſhall take with them, *viz.* one ſmall barony belonging to Tyrconel, on that ſide of the river towards Connaught, called, as I take it, the barony of Carbery; the caſtle of Ballyſhannon to be reſerved ſtill in your majeſty's hands, for him who ſhall command there; the abby of Taſhiroe to be beſtowed upon the ſeneſchal; the abby of Donegal and the abby of Derry, two abbies, that have no lands belonging to them, ſo much land therefore to be laid unto them, as ſhall be thought ſufficient for their habitations who ſhall be drawn thither.

And the remain of the whole country to be given to O'Donnel and the chief men under him, ſo as they will contribute to this charge, which is only the diet of the hundred foot, which they may pay in meal, butter and beef according to their uſual manner, and your majeſty's chief rent beſides, which is 200 *l.* yearly, to be the ſeneſchal's fee, which 200 *l.* your majeſty ſeldom or never hath. This I believe O'Donnel

will

will ſubmit himſelf unto and perform, if he may be handled thereafter.

THIS garriſon once ſettled in that place, will procure great quietneſs in your province of Conaught, and ſtop the only paſſage which they have to go to and fro to aſſiſt any traitor that may rebel there.

FOR Maguires country called Farmanohan, Sir Dudley Loftus with his 25 horſe (whereof he alſo wanteth five taken from him as aforeſaid is mentioned) to be reſtored to him, and he to be ſent ſeneſchal of that country; Henry Warren his brother-in-law, to be ſent as ſheriff and aſſiſtant unto him, and to have 100 footmen under his charge, your majeſty to beſtow upon thoſe two gentlemen (to be inhabited by them and their friends) all thoſe iſlands which are upon the lough, and that one abby which is in the country and the lands belonging to it, and the caſtle of Iniſkillen, lately taken from Maguire and the reſt of that country, to remain to the chief men inhabiting there, ſo as they defray the ſeneſchal's fee and the charge of the 25 horſe, to be levied in butter, meal and beef, both for the diet and wages of the horſemen and their horſe-meat, in ſuch ſort as the Iriſhery themſelves ſhall ſet down, which will be a greater proportion than your majeſty would demand.

FOR the county of Monaghan called Macmahon's country, in reſpect of the great diſlike which the Iriſhery have of the now ſeneſchal there, it may pleaſe your majeſty to let him be

 removed,

removed, and in his place (for that it is next to the earl of Tyrone's country, and the chief place of the earl's abode) that Sir George Bourchire may be ſent thither as ſeneſchal, becauſe of the companies of horſe and foot which are under his charge, and for that he is a gentleman of good worth, who will with ſome good ſhow live in the place, which will be a great comfort to the earl to have ſuch a neighbour; and to aſſiſt Sir George in that ſervice, to ſend Sir Henry Duke as ſheriff of that country, to be placed in the Abby of Cloonis (which is your majeſty's, and himſelf your farmer there) with his own company of light-foot, and a band of 100 foot more to be there in garriſon.

This place of Cloonis is the only paſſage from M'Guires country and thoſe parts, whereby the rebels may be ſtopped from doing your Majeſty's good ſubjects any great damage in the Engliſh pale.

Your Majeſty may ſupply thoſe places with 200 foot and 25 horſe without any increaſe of charge, taking them from ſuch of the old garriſons as may very well ſpare them, for ſome one of them is well worthy of a company, becauſe (in the laſt conflict with the rebels) he loſt his colours and all his men ran away; and he who receiveth ſuch a diſhonour by ſuch baſe traitors, it is a pity ever he ſhould carry colours or credit any more.

The aforenamed 200 foot and 25 horſe are to be placed in Terconnel and Farmanohan, and the

the 100 foot to be under Sir Henry Duke in Monaghan; at the abby of Cloonis may be alſo one of the companies of the old garriſon, and yet all other places of ſervice very well furniſhed within.

WITHIN ſhort time after Sir William Fitz-Williams his receiving the ſword (he finding many of your majeſty's garriſon-bands of ſoldiers in the hands of divers of your highneſs's counſellors there) had an intent to take them from them, and to diſpoſe them to ſuch gentlemen as were more fit to follow your majeſty's ſervice, and often ſaid it was no reaſon but rather a great ſhame that ſuch as were aſſiſtants to him at the council board (having great offices and great entertainments belonging to them, and being otherways men of good living, and yet unable to lead men and follow the fury of the wars) ſhould have bands of your majeſty's ſoldiers remaining in their hands; adding moreover, that it was unfit and unſafe for your majeſty's men and ſervice to be trained by and truſted to their officers diſcretion, but rather to be beſtowed upon gentlemen of worth, ability, and ſkill to follow the wars, which purpoſe of his, if it had taken effect, would (no doubt) have advanced your majeſty's ſervice in that kingdom very much: but when he better conſidered his own eſtate and his coming to that place, and what peril he ſhould draw unto himſelf to hinder all his purpoſes of gaining, if he ſhould ſtrive with theſe great ones, he thought it more ſafe to let thoſe bands remain as they

were than to pluck ſuch a danger upon himſelf, for he knew if he ſhould diſpleaſe them (being men of great friends and abilities) he could not have lived there ſix years to have made his commodity of that your majeſty's poor kingdom deſerving the place ſo little as he did.

But your majeſty being free from ſuch doubts as troubled him, may diſpoſe thoſe bands (as he had purpoſed) unto men of good deſerts who have been long trained in your majeſty's ſervice there without reward, and many of them live diſcontented to ſee men of no worth accounted of, and themſelves being men of value neglected.

Whereby alſo your majeſty ſhall encourage many others to offer themſelves freely to your highneſs's ſervice, when they ſhall ſee good deſerts rewarded.

If theſe counſellors had been heretofore themſelves employed with their bands in the remoteſt parts there, to do your majeſty's ſervice in perſon, where great need ever was, there is no doubt but it had much avail; but to hold their bands of ſoldiers as they have done and yet do, there is no reaſon why they ſhould have them.

But to return to my purpoſe; theſe bands being well diſpoſed of, and the forenamed garriſons placed in manner before expreſſed, and the ſame accepted of by the Iriſhery, becauſe they ſhall ſee that it tendeth to their good, and that nothing ſhall be taken from them more than is compounded for, ſhall win them to honour, love and obey your highneſs, and your officers and laws.

Your

Your majeſty (to have this good ſervice affected) may be pleaſed, that as well the chief commanders of theſe garriſons, alſo the ſoldiers, may be fully paid all their entertainment every month, whereby your majeſty ſhall be freed from the charge of their victualling, and they ſhall have no cauſe to exact upon the poor people for want of victuals or other proviſion.

It may likewiſe pleaſe your majeſty, in reſpect of theſe late and preſent wars and troubles have greatly impoveriſhed them, to grant unto the inhabitants of thoſe countries of Tyrconnell, Farmanohan, and Monaghan, two whole years reſpect before they ſhall pay any of the aforeſaid contributions; and that for thoſe two years they may not have any aſſizes or ſeſſions within their countries, but that the ſeneſchals of thoſe places may have full and abſolute authority over them, together with martial law (as hath been accuſtomed) to cut off all malefactors and ſtragling traitors; in which time thoſe countries may be quietly inhabited, and grow to ſome competent means to live upon, and be able to pay your majeſty.

And likewiſe it may pleaſe your Majeſty, to appoint them ſuch a judge for the circuit as will uſe them with all clemency and mercy, and not to take ſuch ſlender advantages againſt them as many of their own countrymen have done; for, I aſſure myſelf, if the choice of a juſtice was left to themſelves, they would never chooſe an Iriſhman, becauſe none are ſo corrupt as they.

Whereas

Whereas young O'Roirke is alſo out, and a great diſquiet of your majeſty's province of Connaught, he will in like ſort yield himſelf a ſubject, and receive a ſheriff into his country, and pay all duties appertaining, ſo as he may be accepted into grace and reſtored to all that was his father's. This I think he verily will perform, becauſe I have been moved to be a dealer between Sir Richard Bingham and him.

And whereas I have taken upon me to nominate certain gentlemen as fit men for the places aforeſaid without any of their privities, yet I am well aſſured (if it pleaſe your majeſty to appoint and command them) they will with all their abilities and endeavours be ready; but if any of them ſhall miſlike in reſpect of the dangers of the places and ſmallneſs of their companies, there be others who will undertake it.

A great part of that unquietneſs of O'Donnel's country came by Sir William Fitz-Williams, his placing of one Willis there to be ſheriff, who had with him three hundred of the very raſcals and ſcum of that kingdom, which did rob and ſpoil that people, raviſh their wives and daughters, and made havock of all; which bred ſuch a diſcontentment as that the whole country was up in arms againſt them, ſo as if the earl of Tyrone had not reſcued and delivered him and them out of the country, they had been all put to the ſword.

The profit which ſhall redound to your majeſty by placing theſe garriſons aforeſaid in this

ſort,

fort, will (after the firſt two years) amount yearly to 6000 marks, that is to ſay 3000 marks to be ſaved, and 3000 marks to be gained.

Concerning Tyrone, as your majeſty hath beſtowed it upon the earl, ſo for the better furtherance of the aforeſaid ſervices, it may pleaſe your highneſs to accept of his own affairs, which were that all Tyrone might be but one county, which granted, he would (upon his own charge) build a goal and a ſeſſion-houſe, and receive a ſheriff into his country, whereby your laws might be obſerved there.

And where the earl's adverſaries have in times paſt incenſed your majeſty againſt him for the hanging and cutting off one Hugh Gavelock a notable traitor, and ſon to Shane O'Neale, informing your majeſty that the ſaid Hugh was your majeſty's ſubject, it ſhall be well proved that he was ever a traitor againſt your majeſty, a daily practiſer with foreigners (as the Scots and others) for the diſturbance of that kingdom, and one who ſought by all means to overthrow the earl, who by martial law (which he then had) did cut him off for his offences. For the doing whereof, he did incur your highneſs's diſpleaſure; and the ſaid martial law, which kept that whole country in awe, was taken from him, the want whereof has made his country people grow inſolent againſt him, and careleſs of obſerving any humanity or duty which hath bred the outrages now in practice, ſo that (in my poor opinion) it were requiſite to reſtore the

the ſame authority unto him, provided it ſhould not extend to the cutting off of any but ſuch malefactors as ſhall be of his own country, his tenants and followers; and I dare ſay he may every year hang 500 falſe knaves, and yet reſerve a great ſtock to himſelf: he cannot hang amiſs there ſo he hangs ſome body.

For the performance of the ſervice in thoſe aforeſaid countries, it is not O'Donnell, Maguire, Brianoge Macmahon, nor Brianoge O'Roirke, nor any of thoſe four who muſt be dealt withal, for they are all traitors and villains, and moſt obſtinate againſt your Majeſty. But the foundation muſt be laid upon the earl of Tyrone, to draw him by any reaſonable conditions unto your majeſty, that you may have conference with him, and as he is made by your majeſty a great man there, ſo may he be alſo a ſpecial good member in that commonwealth to redreſs and remedy many great diſorders, which no doubt he would faithfully do, if he might be truſted, for what maketh a man honeſt but truſt.

And whereas ſome affirm that he ſtandeth upon a pardon for himſelf and his followers; I think not ſo, for he and they hold themſelves in leſs ſafety thereby, than they were before, becauſe they have ſeen pardons ſerve (in their conceit) rather for traps to catch others in, than for true and juſt remiſſion and acceptance into the free benefit of ſubjects, which maketh him fear the like practice towards himſelf.

For

For whom, although I have undertaken at my firſt coming, that he ſhould have performed as much as I then delivered on his behalf to your majeſty, now I dare not engage my credit ſo far for him, becauſe it is long ſince I ſaw him.

But if it pleaſe your majeſty to ſend me unto him with encouragement and protection immediately from your majeſty, that he ſhall come to your lord deputy there, and to your highneſs here in ſafety, to come and go without impediment or ſtay of his perſon; I doubt not but to bring him and his ſon (whom I would wiſh to be detained, but as himſelf ſhall like of) and whatſoever he undertaketh to the lord deputy, coming in after this manner, there is no doubt of his performance: I know his adverſaries, who never were ſuch friends as they might have been to the commonweal of that kingdom, will be earneſt with your majeſty againſt this, and that it is a great diſhonour to you to grant it; but it will be proved, by their teſtimony who live there, how greatly it ſhall advance your majeſty's ſervice in this dealing with him, who hath been heretofore ſerved faithfully and valiantly, and hath therefore well merited, and ſhall ſave the lives of your highneſs's ſubjects, and the expence of much of your treaſure.

They who will be againſt this, have thoſe many years ſuffered notorious traitors, namely, Feagh M'Hugh, and the baſtard Geraldines, mightily to diſhonour your majeſty, in the very view of your ſtate; and with that baſe rebel and his

his adherents they will deal as it were by way intreaty to accept of protections, which is as much diſhonour to a prince of your excellency and greatneſs as may be, ſo to condition with ſuch beggarly objects, as have neither power nor wealth, and yet are noted here to be great and dangerous men to your ſtate there.

If there go not ſome ſpeedy contentment to the earl, to ſtay all this expected fury which is very like to happen, but that there muſt be preſent wars made upon them, your majeſty ſhall take them in hand at a very unfit time, when they are thoroughly provided, to do great miſchief, and your majeſty, not ſo provided to defend your poor ſubjects from their ſudden force and fury.

Your majeſty, ſince you were queen, never had ſo great a cauſe to bethink you of the ſervice of that place, as now you have. Your highneſs ſhall not get ſo great honour in cutting off him, and thouſands of thoſe bare people that follow him, as you ſhall to win him and them to be good and loyal ſubjects, and to live and ſerve your highneſs for good offices. As the caſe now ſtandeth with the earl, he hath ſmall encouragements to be otherwiſe than now he is.

For where it was your majeſty's pleaſure he ſhould have great encouragement given him, by thanks for his laſt good ſervice againſt Maguire, it was held from him, and inſtead of that, they deviſed all means and policies to aggravate matters againſt him to your majeſty, which is credibly

dibly made known unto him; and more, that upon what ſecurity ſoever he ſhould come in, your majeſty's pleaſure is to have him detained. How he hath theſe advertiſements from hence, I know not, but your majeſty is, or ſhall be informed that he and his lady are papiſts, and foſter ſeminaries, *&c.*

TRUE it is, he is affected that way, but leſs hurtfully and dangerouſly than ſome of the greateſt in the Engliſh pale: for when he is with the ſtate, will accompany the lord deputy to the church and home again, and will ſtay and hear ſervice and ſermon; they, as ſoon as they have brought the lord deputy to the church door, depart as if they were wild cats, and are obſtinate; but he, (in my conſcience) with good conference, would be reformed; for he hath only one little cub of an Engliſh prieſt, by whom he is ſeduced for want of his friends acceſs unto him, who might otherwiſe uphold him.

THERE hath been an old *dunſical* demand in taking pledges of ſuch as are held dangerous men to your majeſty's ſtate there. I make bold to give it that term, becauſe there is no one who hath known your ſervice of Ireland longeſt, who can ſet down and prove that ever Iriſhman was held in obedience by his pledge: if any can, let me loſe my credit for ever. I am able to ſet down of my own knowledge, almoſt by 20 years experience, in which time I have ſeen many pledges taken for the Iriſhery, for

for retaining them in obedience, the father for the ſon, the ſon for the father, the brother for the brother, and many other of like nature, that they have taken their times, nevertheleſs, without any regard of pledge, to play the traitors againſt your majeſty at their pleaſure. For when they neither fear God, nor be careful of their duty towards your majeſty, nor for your force to reform them, your majeſty may be aſſured, it's not their pledges that can hold them in obedience. Your majeſty, therefore, may (in my opinion) do well to let no ſuch demand be made of them, but when they ſhall give cauſe of offence, let them be thoroughly followed with your forces, and plagued in ſuch ſort, as may make them afraid to offend you. For the leſs your majeſty ſhall eſteem them, the more obedient you ſhall have them; and by this courſe your majeſty ſhall ſave a great deal of charge for the diet of ſuch as they put in for pledge.

And where there was a credible report made, that the earl of Tyrone came into the now lord deputy, without pardon or protection; I aſſure myſelf, your majeſty ſhall find he came in upon the credit of your ſtate, altho' in policy he might be willed to give out otherwiſe, and no doubt; but ſuch as have often miſtaken his actions and intents, would make an open demand of him, how? and he perhaps anſwer them, without protection; and upon this his anſwer, they might be very importunate with the

the lord deputy and the council, that he might be detained for great matters of treaſon, wherewith they had to charge him, which demand of theirs being refuſed, it is not unlike but they would either write to your majeſty, or to their friends here, to inform your majeſty how provident they were to have him ſafe kept, and yet their cares and offers were neglected.

Let thoſe devices of theirs take effect, or otherwiſe to have him cut off, your majeſty's whole kingdom there would moan it moſt pittifully; for there was never man bred in thoſe parts, who hath done your majeſty greater ſervice than he, with often loſs of his blood upon notable enemies of your majeſty's; yea, more often than all the other nobles of Ireland. And what quietneſs your majeſty had theſe many years paſt in the northern parts of that kingdom, it's neither your forces there placed, (which have been but ſmall) nor their great ſervice who commanded them, but only the honeſt diſpoſition and carriage of the earl, hath made them obedient in thoſe parts to your majeſty. And what pity it is that a man of his worth and worthineſs ſhall be thus dealt withal by his adverſaries (who are men who have had great places of commandment) and neither they, nor their friends for them, are able to ſet down they ever did your majeſty one good day's ſervice, I humbly leave to your majeſty.

If he were ſo bad as they would fain enforce (as many as know him and the ſtrength of his

country, will witneſs thus much with me) he might very eaſily cut off many of your majeſty's forces which are laid in garriſon in ſmall troops, in divers parts bordering upon his country; yea, and overrun all your Engliſh pale, to the utter ruin thereof; yea, and camp as long as ſhould pleaſe him even under the walls of Dublin, for any ſtrength your majeſty yet hath in that kingdom to remove him.

THESE things being conſidered, and how unwilling he is (upon my knowledge, to be otherwiſe towards your majeſty than he ought, let him (if it ſo pleaſe your highneſs) be ſomewhat hearkened unto and recovered (if it may be) to come in unto your majeſty to impart his own griefs, which no doubt he will do, if he will like his ſecurity. And then, I am perſuaded, he will ſimply acknowledge to your majeſty how far he hath offended you; and beſides (notwithſtanding his protection) he will, if it ſo ſtand with your majeſty's pleaſure, offer himſelf to the marſhall (who hath been the chiefeſt inſtrument againſt him) to prove with his ſword, that he hath moſt wrongfully accuſed him. And becauſe it is no conqueſt for him to overthrow a man ever held in the world to be of moſt cowardly behaviour, he will, in defence of his innocency, allow his adverſary to come armed againſt him naked, to encourage him the rather to accept of his challenge.

I AM bold to ſay thus much for the earl, becauſe I know his valour, and am perſuaded he will

will perform it; and what I have ſpoken of him, over and above this, theſe reaſons have led me to it.

Being often his bedfellow, he hath divers times bemoaned himſelf, with tears in his eyes, ſaying, if he knew any way in the world to behave himſelf (otherwiſe than he hath done) to procure your majeſty's aſſured good opinion of him, he would not ſpare (if pleaſed you to command him) to offer himſelf to ſerve your highneſs in any part of the world againſt your enemies, though he were ſure to loſe his life.

And as he hath in private thus bemoaned himſelf unto me, ſo are there many eye-witneſſes here in your highneſs's court who have ſeen him do no leſs openly; which tears have neither proceeded from diſſimulation, or of a childiſh diſpoſition, (for all who know him will acquit him thereof) but of meer zeal unto your highneſs, and grief and fear to loſe your favour, whom he deſireth with life, and all he hath, moſt dutifully and loyally to ſerve.

Whereas I have taken upon me to nominate certain gentlemen as fitteſt to be employed in the above mentioned ſervices in thoſe remote places, I know there will be great exceptions againſt them, becauſe they are thought to be too near friends to the earl. But I will prove, that none can ever do your majeſty ſuch good ſervice there, as they who have been always trained up in thoſe parts in ſervice, and are beſt acquainted with the earl, and the other lords

of thoſe countries. And I am of opinion, if it were demanded of the earl and the reſt, they had rather have ſtrangers placed in thoſe places, than thoſe gentlemen of their acquaintance: becauſe theſe, in any outrage in theſe countries, dare truſt the earl with themſelves and their ſmall troops, to be aided by him, whereof they ſhould not fail, when ſtrangers would be loth, and fear ſo to do: for their truſt will procure the earl and his followers to undertake and perform with them whatſoever they ſhall require for your majeſty's ſervice.

AND what is it to your majeſty to lay upon the earl the truſt and credit of ſettling your majeſty's forces in thoſe parts, and to give him your majeſty's free protection to come in, without fear, from time to time, to anſwer to any thing that ſhall be objected againſt him, and to retire home again? And if it ſhall at any time happen that he ſhall ſo offend, as to deſerve puniſhment, then your majeſty is to prepare your princely forces, and make royal war upon him, letting him ſharply taſte what it is to offend ſo gracious and great a prince.

AND likewiſe, the reſt of the lords of thoſe countries are (upon the receiving in of your majeſty's garriſons, and paying the duties and compoſitions before ſpecified) to have the like meaſure afforded them.

I AM the bolder, moſt gracious ſovereign, to ſet down this my opinion for managing thoſe remote places, and preventing theſe preſent ex-

pected

pected troubles; becauſe I have been an eye-witneſs of a needleſs and a chargeable war held againſt one of the lords of the north, namely, Surleboy, a Scot, which war ended not by your majeſty forces, but by the loſs of that rebel's chief inſtrument, his ſon Alexander; yet were the ſaid traytors intreated to accept of their pardon, and had more beſtowed upon them for playing the traytors, than they demanded before. And my fear is (if this expected fury ſhall follow to be wars) it will fall out to the like or a worſe iſſue: for he who doth now oppoſe himſelf againſt the earl, was the chief commander then, and did moſt diſhonourably perform it, as ſhall be apparently proved, when it ſhall pleaſe your majeſty to appoint.

I HAVE heard, many think much that the earl performed not his promiſe with the now lord deputy, but they little conſider what ſlender encouragement he had given him at his coming in to do it. If he found, as like he did, in what great peril he was to be detained, as notwithſtanding the aſſurance whereupon he came in, if his adverſaries credit would have place, he had been reſtrained. There was no likelihood of his performance of any thing he then undertook, becauſe he ſaw himſelf in ſo great peril, neither is it like he will hereafter hazard the like. But if his promiſe be expected to be performed, then, I think, he deſireth good aſſurance, firſt, of his own ſafety, whereupon there may be hope he will effect all promiſes, good

H 3 offices,

offices, and ſervices, for the good of that poor kingdom; and till then, there is nothing to be expected from him but doubt, and preparation to defend himſelf, and offend greatly.

When your majeſty's garriſon ſoldiers were firſt planted in the county of Monaghan, there was great ſervice offered to Sir William Fitzwilliam by Sir Henry Duke, for his ſitting down at the abby of Cloonis (whereof he is farmer) with his own company of light foot, and fifty of your highneſs's garriſon ſoldiers, and to have diſcharged your majeſty of all manner of victualling charge, only to have been monthly fully paid their entertainment; and at that time there were at the ſame abby good and defenſible buildings to ſuccour your majeſty's garriſon, which are defaced and pulled down by the traytors, for fear they ſhould ſerve for that purpoſe. If this offer had then been accepted, it had greatly furthered your majeſty's ſervice now, and peradventure had prevented, or at leaſt hindered the troubles now expected, becauſe it is ſo near upon Maguire's country, and the ſtay of his paſſage to the Engliſh pale.

Notwithstanding it much imported that this ſervice ſhould have been hearkened unto, yet Sir William Fitzwilliam his malice at that time was ſo extreme againſt Sir Henry Duke, who no doubt would have performed it as effectually as he offered it, as he utterly rejected it; even as he did the like and many greater ſervices offered by other your majeſty's good ſervitors there.

His

His greedy deſire at that time, in reſpect of his own gain, made him careleſs of theſe offers, and of thoſe good ſervitors, who would freely offer themſelves; he eſteemed beſt of the baſer ſort, as of one Willis, and ſuch as he was, whom he made captains and officers in the Iriſh countries, who with their great troops of baſe raſcals behaved themſelves ſo diſorderly, as made the whole country to riſe in an uproar, and to drive them out, with advantage given by thoſe bad and lewd fellows to the ill-diſpoſed Iriſhery, hath emboldened them ever ſince to ſtand in no fear or ſubjection of your highneſs ſtate or forces there. Theſe, and many the like ſervices, as bad or worſe, did Sir William Fitzwilliam, whilſt he had authority in that place.

Although many needleſs journies were made by Sir William Fitzwilliam, which were both chargeable to your majeſty, and troubleſome to your poor ſubjects, yet was there one into the province of Conaught, which was very neceſſary, and grounded upon probable reaſon, determined for the cutting off and utter baniſhing of the traytor O Roirke, and all his confederates; which ſervice could not be performed without the aſſiſtance of the earl of Tyrone, who was ſent unto before the journey was undertaken. The meſſenger was one belonging to your highneſs's council there, a friend of Sir William Fitzwilliam, and one well-affected by the earl, who declared to him the cauſe of his coming down to be for preparation againſt O Roirke, and

what the lord deputy's demand was, that the earl ſhould perform therein. The earl moſt honourably (as he had oftentimes before) undertook to perform as much as the lord deputy then required, returning the ſaid meſſenger very well ſatisfied, for he ſent the lord deputy word, he would be ready to attend the ſervice with 1000 men at the place appointed, and more he would have brought, if he had more time, or ſooner warning. The place to him aſſigned was on the border of Tirconell, on that ſide of Lougherne towards Conaught, there to ſtop the paſſage, that O Roirke with his companies and creatures ſhould not that way eſcape into thoſe parts, which he well liked of, and promiſed ſo to do, adding further (if it pleaſed the lord deputy to command him) he would break a ferry with his forces into O Roirke's country, and either drive him out of it, or deprive him of life, and prey his whole country, and do great ſervice upon all O Roirke's adherents. This anſwer of the earl's ſeemed to ſatisfy the lord deputy very well, who prepared your majeſty's forces forthwith, and ſent word to the earl to be in readineſs upon ſix days warning.

The lord deputy took with him all your highneſs's garriſ n, and the raiſing out of the pale as many as he thought fit, and went onward his journey, giving out (becauſe the rebels ſhould not ſuſpect) that it was only to ſee ſeſſions and aſſizes duly kept in Conaught, and ſat in divers places accordingly, inſomuch as at length he

came

came to Sligoe, which joins upon O Roirke's country, where he abode four or five days with all his forces, being ſufficient to execute upon O Roirke, and the other traytors, as much as he had before determined; the earl all this while expecting when he ſhould be called to that pretended ſervice, kept all his forces ready together for the purpoſe, which was no ſmall charge for him. But as it fell out afterwards, Sir William (as it ſeemed) had no ſuch intention; for upon a ſudden he departed from Sligoe, journeying quite croſs the whole province to Limerick, leaving O Roirke's country at his back, doing no ſervice, but charging the poor country (whereof as then it had little need) impoſing the performance of all this expected ſtratagem to Sir Richard Bingham, with ſome of the garriſon to aſſiſt him, who moſt honourably and painfully proſecuted the ſaid proud traytor upon his feet, to the great endangering of his life by the diſeaſe of the country, which caught him in the purſuit of that traytor whom he then drave out of his country, by which means he was afterwards ſent to have his deſerts here in England. Which exploit (if it had been performed as it was plotted by Sir William Fitzwilliam) O Roirke had periſhed there, and all thoſe traytors, which are now aſſiſtants to his ſon, had then been cut off.

And if it ſhall ſeem to your majeſty, that the time will be over long to have all theſe (and thoſe other notes by me before delivered to your majeſty)

majeſty) tried by commiſſion, it may pleaſe your majeſty to let him preſently be called before your honourable council here, to ſee how he can anſwer, firſt, the leaving off of this ſo great and neceſſary a ſervice by himſelf complotted; ſecondly, why he placed not your highneſs's garriſon (lying then idle, and doing no ſervice) in Tierconell for the reſpects aforementioned; and thirdly, why he refuſed the many great offers of thoſe your well known and experienced ſervitors there, which was to do ſeveral ſervices, and put your majeſty to no charge for the effecting of them; and to make choice of ſuch baſe men as Conell, Fuller, and Willis, whoſe behaviour I have partly touched before, being ſuch as a well adviſed captain of that kingdom would not admit into any office in his company.

His anſwering in theſe three points, and as many of the reſt as ſhall pleaſe your majeſty, will, I don't doubt, be ſo groſs, as your majeſty and honourable privy council may the more eaſily judge of the reſt. It may be, moſt gracious ſovereign, that he will frame anſwers to all my objections, or elſe be perſuaded by ſome of his friends, not to eſteem them worth anſwering, in reſpect of the inequality of my eſtate to his, chiefly for the place which he held. For this I appeal to your majeſty, how much it importeth. And I do further affirm, that until he can diſprove theſe my allegations, or ſome of them, I ought to be credited as well or better than he; becauſe

becauſe he hath avouched to your highneſs' moſt honourable council monſtrous and apparent untruth, which I can as well prove as any of theſe aforeſaid articles, namely, about the buying and getting of impreſt bills into his hands, which he hath ſworn and forſworne that he never did; but for the proof hereof, if it be your highneſs' pleaſure, that Sir Henry Wallop and his men be called, they can teſtify what great ſums of money they have paid him for impreſt bills in the time of his government, whereof moſt of them came to him better cheap than buying: for ſome were given him for cows, which he took in bribes, upon baſe conditions, of the Iriſhrie; other for placing men in ſundry offices. And he that will make no conſcience to forſwear ſuch a thing before ſo honourable perſonages, is hardly to be credited in excuſing greater matters.

It may be alſo upon demand, why he did not place your majeſty's garriſon ſoldiers in thoſe Iriſh countries? he will anſwer, that they could not be ſpared from other places; wherein your majeſty may well reprove him thus; for thoſe were the places where the foot-bands were then beſtowed; Sir George Bourchier's at the Dingon in Ophalie, captain St. Leger's at the fort in Leaſe, captain Dowdall's band at Youghall, fifty of Sir Henry Wallop's band at Eniſkorthy, the Marſall's company at Newry. And in all thoſe places there was no need of garriſon, becauſe there were no enemies out to do ſervice upon, but they might very well have been beſtowed

beſtowed in other places, as ſome of them are now, when it is too late.

And for the fifty ſoldiers under my charge, they did your majeſty as little ſervice in all the time of his government, as the reſt, although they lie in a place of great ſervice, which is at Knockfergus, he appointed ſuch baſe commanders over them to direct them, as deſerved not the pay of one of the ſoldiers. And although it was your majeſty's pleaſure that I ſhould command them, as captain over them; and notwithſtanding that I often made petition to him, and uſed all the means I could beſides, to go down to my company, and to have that authority he gave to others, undertaking to do your majeſty great ſervice in that place, yet did he, (for what cauſe I know not) utterly refuſe to grant my requeſt; as he rejected many other great ſervices by me offered unto him, holding me, to my great charge, to live upon the borders of Feagh M'Hugh's country, where I was fain to retain many men upon my own purſe, to defend myſelf, and do your majeſty ſome ſervice upon thoſe traitors; whereby, though it were to my coſt, I took many notable rebels, who were commanders of men, and brought them in to abide the cenſure of your majeſty's laws, which cut them off. For theſe, and many other ſervices done in his time, he rewarded me with all hinderance that ever he could do me, not only by his authority and power, but by obſcuring my deſerts.

As

As it is the cuſtom and manner, moſt gracious ſovereign, of ſome to darken and diſgrace the deeds of the well deſerving, thereby to countenance and grace their own favourites, tho' they merit nothing, which manifeſtly appeareth in the plotting down of that ſervice done upon that traitor Maguire the laſt year, which, as I underſtand (by Sir George Carew) was firſt delivered to my lord treaſurer, and by his lordſhip ſhewed unto your majeſty, wherein captain Dowdall is portrayed on foot, wading the ford in the fore front arm and arm with myſelf; which is moſt untrue, as one Sadler, who was then his enſign bearer, and divers other gentlemen, and others of credit who are now in your majeſty's court, can teſtify. For he came not in the ford at all to wet his foot, but forſook his place, both he and his lieutenant behaving themſelves as in my other notes I have declared to your highneſs already. But when he ſaw the rebels defeated off their place and driven to flight, then he came over the ford upon his horſe, and ſo on horſeback offered to lead the battle, which he ought to have done on foot, having no reaſon to ride, except he meant (if the enemy ſhould make head again) to ſhift for himſelf. Theſe and the like untruths (as the caſe now ſtandeth) ſerve to grace ſuch ſervitors, and to obſcure and hinder the merits of ſuch as deſerve well. Although it would be too tedious to your majeſty to hear of all the needleſs journeys made by Sir William Fitzwilliams

williams in the time of his government, yet can I not omit (beſides that one before rehearſed) his laſt journey into the county of Cavan, by the which your majeſty may judge of all the reſt.

Within ſhort time after the overthrow to that traitor Maguire, wherein your majeſty's ſoldiers were worn out, all manner of reparations, he ſent for them to meet him 100 miles from their garriſon places, which was at the Cavan. The time limited for their repair was but ſhort, yet came they thither the day appointed. He carried with him many horſemen thro' the Engliſh pale, to the great prejudice and impoveriſhment of the ſame, by reaſon of his many needleſs journeys before. And he ought in conſcience at that time have forborne coming into the county of the Cavan, becauſe it was charged with 200 ſoldiers, which were newly erected for the ſervice againſt Maguire, and paid only by the inhabitants of that country; yet nevertheleſs he made his journey thither, and there remained many days, to the great charge of that poor country, having no other cauſe but only to ſee a boat launched; which was ſo needleſs a journey undertaken and performed, that many a gentleman then under his command might (with his men) as well have effected, as it was by his preſence; which courſe if he had taken, it had ſaved the great charge whereat your majeſty then was, the extream and needleſs labour of your poor ſoldiers, and given the poor people of that coun-

try

try no cauſe of exclamation, who came before him in great troops with their plow-irons in their hands, ringing them together with pitiful moans, ſaying they were undone by his coming amongſt them, becauſe they were not able to bear the ſoldiers already put upon their charge. But ſo little was he moved with this their complaint, that he aſſeſſed them with more ſoldiers, horſemen and boys. In his return towards Dublin he was met by many of the ſaid poor country people with the like lamentable outcry, which he regarded as much as the former.

He commanded your majeſty's ſoldiers back again to their places of garriſon, as little reſpecting their long journey, and the relief of their wants, as he did the poor peoples outcry whom he had oppreſſed. It was then near Chriſtmaſs, when the ſoldiers to whom (againſt that good time) he would not allow one penny of impreſt, he ſeeing them all very poor and greatly turmoiled.

Moreover he was ſo miſerable, as he refuſed to lend one of your majeſty's captains 20 *l.* to impreſt amongſt his ſoldiers, he promiſing upon his credit, to pay the ſame within ſix days next after his coming to Dublin: ſuch was his honourable mind, as he never reſpected no man's neceſſity in compariſon of his own commodity. This needleſs journey, although it did not benefit him much, yet it ſerved his turn another way; for he coming home to Dublin in the deadeſt time of the winter, a little before Chriſtmaſs,

maſs, it cauſed him to lie ſo cloſe, and to keep ſo miſerable a Chriſtmaſs, as was never there ſeen in repreſentation of the ſtate.

He who hath had neither care nor conſcience in ſundry ſorts, to diſhonour ſo gracious a prince as your majeſty (who did moſt bountifully enable him to do your majeſty good and honourable ſervice, and to ſpend liberally in his houſe) but to turn all thoſe your majeſty's bounties to his own private gain, preferring that before your majeſty's ſervice and the good of thoſe your people; your majeſty (in my opinion) being advertiſed by thoſe notes by me delivered, and the ſame proved true, may with ſafe conſcience benefit yourſelf with that which he hath diſhoneſtly gotten both by your majeſty and your highneſs's ſubjects in that poor kingdom; which example will (no doubt) cauſe others hereafter to prefer your majeſty's ſervice and profit before their own, and to beware of the like treſpaſs for fear of the like juſtice.

It may pleaſe your majeſty likewiſe to be advertiſed, that divers perſons having been for their offences pardoned by your majeſty, and thereby emboldened to frequent all places without fear, having been apprehended and committed ſtraightway to priſon without any cauſe given (ſince their pardoning) whereof law might take hold: they have offered very ſufficient bail which hath been refuſed, and they detained becauſe they in times paſt were bad (for which they were pardoned) or for fear they ſhould be

bad

bad in time to come. And being thus kept ſeverely in priſon many years, they have at length made friends there, and by great ſums of money here, purchaſed from hence, whereby they have been enlarged; now when they obtain their liberty by theſe money means, and not by the juſtice which your majeſty's laws allow them, they think themſelves very hardly uſed, and others thereby become doubtful and afraid to truſt to their pardons; ſuppoſing, if they want ſuch friends and ſuch means, they ſhould either be indirectly cut off, or elſe for ever kept in priſon, upon ſuggeſtion or ſurmiſe. But if they might perceive that it is not your majeſty's pleaſure to have them thus handled, and that none ſhould lie in priſon without receiving trial by your highneſs's laws, if their cauſe ſo required, or elſe upon good ſureties to go at liberty; by either of which means, they may enjoy the benefit of your gracious laws, even as your good ſubjects which never offended; no doubt it would free them of great fear and ſuſpicion, and make them more dutiful than ever they were.

There is one priſoner in the caſtle of Dublin an aged and impotent gentleman, of whom (if it be your highneſs's good pleaſure) I deſire your majeſty ſhall take notice; his name is Sir Owen Mc Tool, one who was never traitor againſt your majeſty, nor ever in any traiterous action, but ſo good a ſubject, and ſo faithful a ſervitor as (for his deſerts) he had a penſion from your

 majeſty,

majeſty, whereof Sir John Perrott bereft him. This gentleman was ſent for by promiſe and aſſurance from the ſtate, that he ſhould not be abridged of his liberty; contrary whereunto he was committed unto priſon, where he hath remained theſe eight years; for whoſe enlargement all bail hath been refuſed, yet is the gentleman of ſo great years, as he is not able to go, and ſcarcely able to ride. For which reſpects and for the ſtates promiſe (methinks) he ought to find favour. Moreover he is pledge for no man; if he were, pledges profit nothing as before I have rehearſed. He is father-in-law to the earl of Tyrone, and if the earl recovers your majeſty's favour, how highly your majeſty ſhall honour yourſelf by beſtowing this old gentleman's liberty upon the earl, and how much your majeſty ſhall provoke the earl to acknowledge your highneſs's favour therein, your majeſty may eaſily judge and they who know the ſtate of that kingdom can inform. But if the earl be not ſo happy as to obtain ſuch grace at your majeſty's hands, yet it may pleaſe your majeſty graciouſly to regard the poor aged gentleman, that upon good ſureties he may have his liberty; for which I know there would be five hundred pounds given, tho' he can by no means ſteed them in any bad practice againſt your majeſty's ſtate there, neither in body nor council, neither can his impriſonment ſtay any of his friends from doing evil, if they be badly diſpoſed. If therefore your highneſs would

would be pleaſed to releaſe him of your own princely motion, he putting in ſufficient ſureties within the Engliſh pale to be ever ready within twenty days to anſwer to whatſoever may be objected, yet ſhall bind him (as his bounden duty) always to pray for your highneſs, and mightily increaſe the affection of your majeſty's people there.

And if he or any other of whom ſuch ſecurity ſhall be taken, ſhall afterwards offend as traitors, your majeſty's coffers are to be enriched by the forfeiture of their ſureties bonds (which are in no caſe to be remitted) and the traitors to be honourably cut off by your majeſty's forces and your pleaſure; which juſtice will be an example to traitors how they offend, and to their ſureties how they become bound.

There have been (theſe many years paſt) divers traitors ſuffered, I might rather ſay ſuborned, in all their bad and traitorous actions who (if matters had been diſcreetly and uprightly handled) might either have been utterly overthrown or cut off, or elſe drawn to ſubjection and due obedience to your majeſty and your laws, without any other or more charge unto your highneſs than you have been at continually: for your majeſty's ſoldiers were not at all employed, and yet thoſe traitors were ſuffered to go uncorrected for all their murders and treaſons, nay more, to uſe your highneſs unreverently, which cauſed your majeſty's good ſubjects with grudge and hearts grief often times to complain.

The principal rebels and arch-traitors whom I mean, are Teagh Mc Hugh, and the baſtard Geraldines, who are by marriage linked in affinity with that grand traitor, and becauſe I would have your majeſty underſtand how you have been long abuſed by untrue informations concerning this traitor and his complices, I proteſt they neither are of that ability to offend, nor of that power to defend, nor ſo hardly to be conſtrained to yield their due obedience as hath been reported, yea, and that without the employing of great troops of ſoldiers againſt them, or charging the near bordering ſubjects extraordinarily: for they will now with more willingneſs afford all their helps of proviſion in the traitors country than they have done heretofore, becauſe then they were greatly charged and no whit defended. But if they might, ſuch a one choſen and appointed for that ſervice as they know would never ceaſe until he had quite deſtroyed that den of mountain thieves, the poor ſubjects would neither ſpare charge nor trouble to aſſiſt him. The means how to reform theſe diſobedient rebels, and to perform this ſervice are theſe:

First, Let no protection be granted to any, ſave only to ſuch as ſhall come in unto him who ſhall be appointed to follow that ſervice, and offer themſelves to do offices againſt the chief traitors: which when they have performed, and that ſpecial good hath ſucceeded their draught, then let them have pardon for their former faults,

faults, and ſafe protection (without any traitorous practice which hath too commonly been uſed towards them) ſo long as they ſhall behave themſelves as good and loyal ſubjects, living in duty and obedience unto your highneſs, your officers and laws.

And if any who be or ſhall be in authority to protect, do ſend for any offender upon promiſe that the ſame ſhall ſafely come and go, and then ſhall (contrary to that promiſe) take away the life of that offender, be his tranſgreſſion never ſo heinous, let that man in authority (be he never ſo mighty) loſe his credit in that place, and be puniſhed to the uttermoſt that law will afford, for ſo diſhonouring your majeſty when your highneſs's word is paſt: for ſuch uſage is the cauſe why they will not now come to the lord deputy upon protection, and much leſs will they truſt any other, except they have had long experience of his upright and juſt dealing.

Furthermore, whoſoever hath a country or a ſeignory, which your majeſty hath beſtowed upon him, let him be bound that all his tenants ſhall be anſwerable to your laws, or himſelf to ſatisfy all ſpoils and treſpaſſes which they, or any to whom they give maintenance ſhall commit againſt your majeſty's good ſubjects.

I know there will be great exceptions taken againſt this affirming, that many dwell upon their lands whether they will or not; let this (if it pleaſe your highneſs) be no excuſe, for if he know how to receive his rents and cuſtoms,

let him likewiſe pay the ſpoil done to the good ſubjects, or bring in the offenders to anſwer to the law; eſpecially if they have the commandment of any of your majeſty's ſoldiers, by whoſe aſſiſtance he may enforce them to obedience.

And whoſoever ſhall be appointed to ſerve upon the aforeſaid traitors Teagh Mc Hugh and his adherents, ſhall not need to have more than 100 foot and ſome 20 or 25 horſe, which horſemen it were requiſite (for good reſpects) ſhould be ſtrangers to that border, and with this ſmall number may he do very great ſervice.

But if it be objected, that this proportion of ſoldiers is too weak to do ſervice againſt ſo ſtrong a traitor, if it may pleaſe your majeſty to give me the leading of theſe ſoldiers and the credit of the ſervice, I will either loſe my life or effect as much as I have here ſet down. And where I will venture my life to perform ſuch a ſervice as this, I truſt your majeſty will venture your ſoldiers, and give me in charge to lie upon thoſe borders to ſee your majeſty's ſubjects live in ſafety, and to give thoſe traitors and the inhabitants of thoſe parts to underſtand, that henceforth they are no more to expect protection, but to ſubmit themſelves as ſubjects, and ſo continue, or elſe to feel the ſharp puniſhment due to obſtinate rebels. And to ſuch as ſhall ſubmit and do ſervice upon the reſt, there is pardon to be granted, and to him who ſhall do the beſt ſervice, ſhall not only be given pardon, but alſo maintainance for him to live upon. By which means

I am

I am aſſuredly perſuaded, I ſhall find inſtruments amongſt themſelves that ſhall ſerve effectually to cut off the reſt; ſo ſhall your highneſs be honourably ſerved, and thoſe parts of your kingdom ſo near the ſtate, be reduced to obedience, to the example of thoſe countries which are more remote.

If this traitor Teagh Mc Hugh ſhould be made more ſtrong by his friends (as I ſee not how they ſhould) and that further force ſhould be required againſt him, your majeſty's ſubjects in the Engliſh pale would willingly yield to your highneſs 600 ſoldiers, horſe and foot, at their own charge for ſix months, and longer if need require, ſo as they might ſee your majeſty would once take him in hand: thus much, many of the beſt of them, willed me to deliver to your highneſs.

There is no cauſe why theſe expected troubles in the north ſhould hinder the preſent proceedings againſt theſe traitors in the ſouth, who are perſuaded they are ſpared, but till ſuch time as your majeſty have ſettled the north, and then they expect to be followed by your highneſs's forces for their cutting off: all things therefore conſidered, they ſhould not be forborne till then, for if their wars in the north, theſe in the ſouth will offend your majeſty's ſubjects as much as they can; thereby to keep the ſtate the more buſied and troubled, and if they happen to be over hardly diſtreſſed, then will they fly to the north, there to be ſafe from your majeſty's forces; which refuge, if they be once driven unto,

it's great odds they ſhall never come back to annoy the ſouth, which I pray God I may never once ſee, and that ſome of your majeſty's good ſubjects may dwell where that traitor Teagh Mc Hugh's forefathers and followers have remained theſe 100 years, to the great diſhonour of the ſtate and hurt of the poor ſubject.

For the due reformation of all the diſorders in that poor realm of Ireland, and the execution of what worthy action ſoever ſhall be by your majeſty, and your honourable council here determined, and for recovering the honour of that ſtate, which former governors there have loſt; your majeſty, in my judgment, hath made a moſt excellent choice of the now lord deputy, a man accompliſhed with all neceſſary parts both in body and mind, as I doubt not but his ſervice ſhall hereafter give good teſtimony, altho' he have received the ſword in a far more troubleſome and dangerous time than any of his late predeceſſors ever did. For neither the laſt Deſmond's wars, nor thoſe of Connor's and the Moore's, being both put together, are comparable to that which is now expected if it prove wars, which I deſire (if it be God's will and your majeſty's good pleaſure) may be otherwiſe, not for my private affection for any in the north, but for the publick good which I wiſh to that poor kingdom.

For the benefit whereof, and for the performance of all ſuch honourable ſervices as are now expedient to be done, and all the reſt before in this

this declaration mentioned, it's your majeſty who muſt not only direct him, but alſo thoroughly enable his lordſhip that he may give better encouragement to your majeſty's ſoldiers to take pains in your highneſs's ſervice than they have had or yet have, becauſe they daily ſee that he who never ſerved your majeſty in thoſe ſervices, ſhall come to far better preferment in that place, than the beſt commander or ſerving ſervitor there, beſides you cannot get that which they do painfully and faithfully ſerve.

WHAT encouragement then can a man have to offer himſelf freely in the wars of that country, who ſhall neither get honour, reward, nor payment for his labour; I ſpeak by experience of myſelf, who (upon my credit) have not had ten crowns impreſt of my own private pay thoſe ten years, to furniſh me towards your majeſty's ſervice when I was called upon, and yet I have made one at all times.

WHEN ſuch hard meaſures then is offered unto captains, I humbly refer to your majeſty, what encouragement they can have to go to the field. Although without money or any thing elſe, they will do their beſt endeavour with their ſubſtance and themſelves, to do your highneſs ſervice, becauſe I know (and ſo do all the reſt) that it's not your majeſty's pleaſure to have them ſo diſcouraged, but the fault is in them who have been thither ſent as deputies, who have preferred their own gain before your highneſs's honour and ſervice, or the juſt rewarding of ſuch

ſuch as have moſt truly and painfully ſerved, and for that they would pleaſure ſuch cowardly captains as were their inſtruments to bring them in cows to convert into angels, to cram their greedy purſes, whom I have a better will particularly to name, than thus generally to write of; if I were perſuaded, your highneſs would thereupon diſcard them: and I know they would not challenge me becauſe I do them no wrong.

To encourage therefore your majeſty's ſoldiers, and to furniſh the lord deputy againſt all accidents that may happen, if it may pleaſe your majeſty, that all the treaſure which is ſent over into that realm at ſundry times, may be intirely ſent at one time, with commandment, that your majeſty's whole garriſon may be fully paid every month, your majeſty ſhould be moſt honourably ſerved, and the ſoldiers well contented, and the ſubjects not occaſioned to exclaim for want of payment for the ſoldiers diet, when both captains and ſoldiers ſhould have in their purſes to ſatisfy that, and to furniſh themſelves with all other neceſſaries.

For notwithſtanding your highneſs's garriſon hath been ſo ſlenderly paid theſe many years, your majeſty hath not ſaved any thing thereby, but it hath enriched a ſort of baſe clerks and beggarly merchants who will not credit a captain now for a groat upon his bill; but all the commodity goeth to the lord deputy, the clerks and the merchants, ſo as the captain to furniſh his company

pany can get no money unleſs he will give 400 for 200 or 200 for 100, and after the like rate; and in this powling manner your ſoldiers are paid.

Forasmuch as your majeſty doth pay all in the end, you may (if it be your highneſs's pleaſure) as well benefit your captains and ſoldiers as other men's clerks, by ſending an overplus of treaſure to the lord deputy, to pay the old debt due only to captains and ſoldiers, which few thouſands will diſcharge, except it be one man, unto whom your majeſty oweth five or ſix thouſand pounds, which (if it be your highneſs's pleaſure) may with ſafe conſcience be detained in your hands, becauſe he hath ſo ill deſerved, thro' the diſhonouring your majeſty in the place wherein he ſerveth.

And now (moſt gracious ſovereign) for that (as I have heard) it hath been credibly reported to your majeſty that the laſt Deſmond's wars did coſt but 40,000 pounds, thereby the rather to induce your highneſs to make wars upon the north, I have thought it my duty (under your majeſty's protection) to ſet down the truth thereof, whereby it may the more eaſily be judged what the charge of theſe expected northern troubles may ſtand your highneſs in, by comparing the ſaid Deſmond's wars and theſe together.

The charge of thoſe wars (notwithſtanding the great ſupplies then had of your ſubjects, and the great ſuccour and aſſiſtance of ſundry caſtles and good towns which held firm and faithful

ful to your majeſty, to receive and aid your ſoldiers upon all extremes, which towns and caſtles ſtood in moſt commodious places, not only to annoy, but utterly, in manner, to overthrow the traitor and all his co-partners. And where it coſt your majeſty then one pound, it coſt your ſubjects three during all the time of thoſe wars, which charge of your ſubjects I can well make, for the chief lord of one ſmall village had but eight pounds yearly rent for the ſame village, he paid for one year's ceſs to your highneſs's ſoldiers thirty-eight pounds ſterling, whereof I was alſo an eye witneſs) theſe wars I ſay did ſtand your majeſty in four thouſand pounds at the leaſt, for the monthly charge was 7000 *l.* beſides the victualling by ſea. And yet after all this your majeſty afforded pardon to the baſeſt rebel who then took arms againſt you, who yet liveth in view of your ſtate.

THE cauſe of thoſe Deſmond's wars, was even like to this in the north, through the great miſtaking of the Deſmond's adverſaries, and that it coſt your majeſty no leſs than I do here ſet down, Sir Henry Wallop can well teſtify.

MOREOVER there are no helps to be hoped for in the north, either of caſtles or towns wherein to garriſon or once lodge your majeſty's ſoldiers for the following and ſuppreſſing of thoſe traitors, for thoſe parts are merely void of ſuch refuge. Again, all the friends to your highneſs in thoſe countries are but two, O'Hanlon and Magenis, and they uncertain, as your majeſty may thus judge :

judge: for O'Hanlon is married to the earl of Tyrone's ſiſter, and merely enriched by the earl; Maginnis, his eldeſt ſon is to marry the earl's daughter. And if this affinity were the manner of the Iriſh is always to the part they ſee ſtrongeſt; and when your majeſty (as there is no doubt) ſhall prevail, they will then ſeek favour and make offer of much ſervice, but ſeldom or never perform any; whereof myſelf have been too often a witneſs. Theſe things conſidered, it may pleaſe your majeſty and honourable council to be rightly and thoroughly advertiſed before there be wars made in the north parts, whatſoever by ſiniſter informations may be ſuggeſted to the contrary.

For it is not the north only your majeſty ſhall now have to deal withal, but your highneſs's whole province of Conaught ſhall be in great peril of loſing, except Sir Richard Bingham be more ſtrongly enabled or aſſiſted than he is now, truſting to only one band of 100 foot and 50 horſe, wherewith I confeſs he hath done great ſervice. Knockfergus and the Glanboyes which are now garriſoned only with 100 foot and 25 horſe (who have done your majeſty no ſervice by reaſon of ſuch bad commanders as have been appointed over them) cannot but be loſt without a very great garriſon and exceeding great charge, ſo that your highneſs's realm of Ireland being now (as it were) divided into four parts, *viz.* Leinſter, Munſter, Conaught, and Ulſter, will be in very great danger to be half loſt, for Ulſter

ſter is the earl's already. And in Conaught there are divers who have been traitors not long ſince (and yet ſcarce good ſubjects) who watch but ſuch an opportunity. And in Leinſter there are many who now ſtir not, who will then ariſe in arms, namely, the Berns, the Tools, the Moore's, the Connors, and the Cavanaugh's, and many other as falſe traitors as thoſe, who (if they once perceive troubles to increaſe in the north) will ſeek to moleſt and offend the Engliſh pale, as they have done in times paſt.

And one ſpecial matter more is to be thought upon, where your majeſty in all the wars of Shane O'Neale, had Terconnel faithful and ready to do your highneſs ſervice, and to aſſiſt your ſoldiers, giving the traitor many overthrows (being then an utter enemy to all the Neals) now it's not ſo, for O'Donnel is married to the earl of Tyrone's daughter, and is thereby ſo linked to him, that no place of ſuccour is left to your majeſty's forces in all the north; for Sir John O'Dogherty (who was well affected to your majeſty's ſervice) is now in hold under O'Donnel, ſo as no aid is to be expected from him. This poor gentleman hath been hardly uſed on both ſides; firſt, by Sir William Fitzwilliam, who impriſoned him, in hope to have had of him ſome Spaniſh gold; and now by O'Donnel, becauſe he ſhall not in theſe troubles annoy him.

To write of all other particularities belonging to the north, would be over tedious. To conclude therefore

therefore (with your majeſty's pardon) there are but two ways, either to accept of their own offers of ſubmiſſion and contribution for defraying of the charge in this diſcourſe, eſpecially before mentioned, and ſo to place your majeſty's garriſons in their countries, thereby to hold them in continual obedience to your highneſs's profit, or elſe to make royal war upon them, and ſo utterly to overthrow and root them up thro' all the whole north of that kingdom, and plant others in their room or places. I may in no wiſe omit humbly to acquaint your majeſty what great hinderance unto your preſent ſervice the ſtay of Sir Robert Gardiner his coming over is like to be, becauſe that he can beſt true report to your highneſs of the ſtate of Ireland, who (as he was ſpecially choſen by your majeſty to be a chief inſtrument for the good of that poor kingdom, where he ever did and doth miniſter ſuch upright juſtice, as is void of bribery, affection, intreaty of friends, or fear of authority to over-rule him, thereby to do any thing unfit for a man of his place) can very hardly be ſpared from thence; yet, as the neceſſity of this time importeth, it were (under pardon) moſt meet he were ſent for with all ſpeed; for that (as he can) ſo he will without fear of any, inform your majeſty truly how the ſtate of that your kingdom now ſtandeth, and ſhew good means how to ſtay this expected preſent fury that is like to happen, to the utter ruin and cutting off many of your majeſty's ſubjects, and the exceeding

expence

expence of your highneſs's treaſure. There will be (no doubt) many reaſons alledged to your majeſty to ſtay him there, but I humbly beſeech your highneſs not to hearken to them, for the authors of theſe troubles are afraid of his coming hither. But his inſtant repair over, will more avail him than his ſtay there, although it's well known he doth (as far as his authority extendeth) afford the people juſtice, without begging it or buying it, which hath been too often bought and ſold there. And your majeſty may at your pleaſure return him thither again when he hath done exceeding good ſervice here: although I fear he will be loath (if either his own credit or friends may prevail) to go back thither any more, becauſe he ſeeth he is not able to do your majeſty ſuch good ſervice as he would and might if he were more ſtrongly aſſiſted; moreover good deſerts there, procure ſcarce good opinion or friends here.

What mean I to ſay thus much, when it is not to be amended? nay what pity it is that ſo gracious a prince as is your majeſty cannot help it! For theſe many years paſt your poor ſubjects have been crying out for juſtice, and could never get it; beſides it's grown to ſuch gain by corruption, that unleſs your majeſty vouchſafe to take it upon youſelf, or make ſpecial choice of ſome of your honourable council here to look into it, it will not be holpen; for if it be referred (as it hath been) there will be ſuch ſhuffling and ſo much time ſpent, to ſave the

the credit of ſome one, that thouſands of your majeſty's good ſubjects ſhall periſh the while. And the rather becauſe advice is chiefly required of him who is cauſer of all thoſe troubles, and becauſe your majeſty may the better judge what good can follow by his directions, let him ſet down what ſervice he did you when he had the whole authority in his own hand, whereby your highneſs may diſcern the reſt. I know (and thereon dare pawn my life) he cannot prove any one honourable or profitable ſervice he did your majeſty therein at the time of his government.

Opinion is likewiſe required of ſome other counſellors now here, who can ſay as little of thoſe northern parts, as he who was never there.

This being moſt true, let not (I humbly beſeech your majeſty) your poor realm of Ireland be truſting to the advice of ſuch blind adviſers: But vouchſafe your highneſs to be adviſed by thoſe who know your ſervice there, by their own experience and eye witneſs of that whereof they ſhall yield their opinion; and no one (of a counſellor) can do it better than Sir Robert Gardiner, becauſe his circuit is northward, whereby he doth hear the griefs and diſcontentments of thoſe people.

Moreover I moſt humbly beſeech your majeſty to be no longer abuſed by lip-labour, and paper and ink; which have, theſe many years gone for current payment inſtead of good ſervice, and in ſhow of diſcovering great and

weighty cauſes, when in truth they ſeldom tended to any ſuch purpoſe; but ſeeing your majeſty doth pay them ſo well, it may pleaſe you to require better ſervice at their hands, whom your highneſs doth there put in truſt.

If I have in theſe my plain and ſimple diſcourſes offended your majeſty any way, I moſt humbly aſk pardon for the ſame.

As the phyſician cannot cure the diſeaſe of his patient, until he both know and take away the cauſe thereof, ſo neither are the calamities of your majeſty's kingdom of Ireland to be remedied, until your majeſty be both rightly advertiſed of the ſame, and put in practice the redreſs of the great abuſes there; which can't be better done (in my ſimple ſkill) than by making an example of ſome one who have ſerved your majeſty corruptly in that place; and the greater the perſonage is, the greater the juſtice, and the more your honour in making a precedent of ſuch a one: for your inferior officers can puniſh ſmall offenders, but it is in your majeſty only to correct the mighty tranſgreſſors.

And ſo may your majeſty (if ſo you will vouchſafe) look down by degrees, and in time ſurvey your highneſs's captains who ſerve you there, diſcerning, by a little obſervation, the good from the bad; which is eaſily done, if every one be called to account, what ſervice he hath done you; what traitors he hath cut off, having full authority for it, or elſe how your highneſs's

highneſs's ſubjects have been defended by him and his ſoldiers. He who hath not performed one of theſe two, is unworthy to have commanded or have pay.

FURTHERMORE, when ſome experienced captains ſhall make offer of his beſt endeavours, let him (if it pleaſe your highneſs) be hearkened unto, and eſpecially when it tendeth greatly to the advancement of your majeſty's ſervice without encreaſe of charge: and let them not (I beſeech your highneſs) be put off ſo groſsly as they have been, with ſaying it is too ſmall a proportion of ſoldiers to perform ſo great a ſervice. For that is not the cauſe (moſt dread ſovereign) but this; if they ſhould allow of thoſe ſervices when they are offered, it would diſcover, as many think, ſome of their great abuſes, which your majeſty may perceive, when you ſhall ſee great ſervices done with 100 where 500 have been employed, and your highneſs's ſubjects no whit the better defended.

THERE is no well adviſed captain will make offer of ſervice but he hopeth to perform or loſe his life, and eſpecially when he ſhall not gain thereby; for his ſoldiers muſt be paid, or elſe they will not ſerve; beſides he muſt keep them, or elſe he cannot effect the ſervice undertaken, ſo that his only hope of gain reſteth in reputation, reward, and preferment from your majeſty as he ſhall deſerve; and not in polling and pilling the ſoldiers and your majeſty's ſubjects.

These good ſervices then being accepted, and the abuſes reformed, there is no doubt but your majeſty's kingdom of Ireland ſhall quickly flouriſh in true ſubjection and due obedience, to your majeſty's honour and comfort, which I beſeech the Almighty to grant and continue.

The conſideration (moſt gracious ſovereign) of my own eſtate, who have engaged myſelf and my friends very far for means to live and do your majeſty ſervice, hath many times (in the penning of this diſcourſe) ſought to withhold me from diſcovering to your highneſs theſe cauſes of diſcontentments of your poor people in that kingdom, and the bad managing of your majeſty's affairs there, with the means of quieting them, of advancing your majeſty's ſervice, and advantaging your revenues, aſſuring me that the doing of ſuch an office would neither procure me any friends, nor pay any of my debts: beſides it's againſt my profeſſion (being a ſoldier) to be a penman, or ſo earneſtly to ſeek for peace. Yet nevertheleſs when I conſidered what due honour may be done unto God, what true ſervice to your highneſs, and what good to that poor common weal, it made me utterly neglect of my own fortune and reſpect of my private benefit, and emboldened me to diſcharge my duty to God and your majeſty, and diſcloſe my zeal for benefiting that poor realm. And if theſe my labours ſhall be rightly conceived of by your majeſty, and your moſt honourable council, I

ſhall

ſhall think my time happily ſpent, and enjoy as much as I deſire.

And thus, moſt humbly beſeeching pardon for this my bold and rude diſcourſe, and praying on my knees to Almighty God the director of all princes hearts, that it may pleaſe him to move your majeſty's mind duly to conſider of the premiſes, and pitifully to regard the preſent ſtate of that your poor kingdom, and beſeeching him to bleſs your highneſs with all honour, health, and princely happineſs, long to reign over us, I moſt humbly conclude with this my petition.

I humbly beſeech your majeſty, if it be your gracious pleaſure, to accept the earl of Tyrone into your highneſs's protection, that he may ſafely come in unto your majeſty, or to your lord deputy, and hither at your pleaſure, that I may be the meſſenger; becauſe at my coming over he repoſed great truſt in me to deliver unto your majeſty, thoſe things wherewith he found himſelf grieved, wherein I doubt not but to do your highneſs acceptable ſervice, by reaſon of the poor credit I have with him. But if your majeſty be minded to deal otherwiſe with him (becauſe it hath been reported by thoſe who are adverſaries both to him and me, that I am a great friend unto him) to ſhow what manner of love mine is towards him; there is none of them nor any other who ſhall do greater ſervice than I will, if it pleaſe your majeſty to command me,

and enable me fit for it; if not, my ſervice and myſelf reſt at your highneſs's commandment to be diſpoſed as it ſhall pleaſe you, for whom as is my bounden duty I will daily pray, &c.

Your majeſty's faithful

and obedient ſervant,

THO. LEE.

A CHRO-

A CHRONICLE OF Lord CHICHESTER's Government of IRELAND;

CONTAINING,

CERTAIN Chroniculary Diſcourſes, for the Years of our Lord, 1612, 13, 14, & 15.

Collected and Gathered

By WILLIAM FARMER, Chirurgeon.

The ſame night the King ſlept not, and he commanded to bring the book of Records and the Chronicles; and they were read before him. EST. 6. 1.

What ſhall be done with the man whom the King will honour? EST. 6. 6.

ARTHUR, lord Chicheſter, baron of Belfaſt, is lineally deſcended from Waleran de Chicheſter, a brother's ſon to Robert de Chicheſter, biſhop of Exeter, in the time of king Stephen, about 477 years paſt, who gave for his coat of arms, *Chequay, Or, & Gules*, a chief *Varie*; whoſe family, during the revolutions of ſo ancient times (a thing to the judicious, both conſiderable and admirable) hath continued by a ſucceſſive ſeries of the iſſue male, without infamy or blemiſh, increaſed as well in honour, as with the arms, and fair poſſeſſions of 14 ſeveral gentlemen of name and blood. Long may it ſo continue and increaſe in all honourable virtues, 'till it ſhall come to a full period of happineſs.

Honor ſequitur fugientem.

To the right honourable Arthur, lord Chicheſter, baron of Belfaſt, lord deputy of the realm of Ireland.

My ſingular good lord,

TWO years are almoſt paſſed ſince I preſented to your honourable view, a brief abſtract of ſuch diſcourſes as I had collected out of many ancient hiſtories, and chronicles of this kingdom, divided into four parts or books, the laſt thereof containing a ſupply of the hiſtory of Ireland, from *anno* 29 Eliz. (where Hollingſhed and Hooker left off) until this preſent year 1615.

The

The whole work (ſuch as it was) I intended to have dedicated unto your honourable lordſhip, if time, and my ability would have permitted: yet, leſt the ſeed of your honourable bounty (which hath always afforded both comforts and ſuſtenance to mine old age) might not ſeem to be ſown upon a ſoil, altogether barren and unprofitable, I have drawn out ſuch diſcourſes and remarkable actions, as have happened within theſe four years laſt paſt; and thoſe, if not wholly, yet chiefly concerning your lordſhip's honourable proceedings, as well in the civil, as martial government of this kingdom, which I conſecrate unto your lordſhip, far from preſuming to demonſtrate matters better known to your honour, than I can, or ſhall be able, in any meaſure, to relate them; or from conceiting that the workmanſhip (being altogether unſhapely) can afford any thing therein, worthy your lordſhip's liking, but compelled by the bonds of gratitude for your lordſhip's many undeſerved favours, I have preſumed to ſet my pen to this ſimple diſcourſe, though it be with the breach of that judicious rule, which ſaith, *conſultius eſt tacere quam inepte loqui*, humbly craving your honourable wiſdom, and ſolid judgment, to pardon my boldneſs, excuſe mine errors, and to vouchſafe the acceptance of this poor pamphlet from him, who hath nothing elſe but his prayers, and an aged impotent body to offer unto your lordſhip, both which I will duly offer unto God, for your lordſhip's everlaſting honour and happineſs.

CHR Q.

CHRONICLES of IRELAND.

JAMES, king of IRELAND. A. D. 1612. *Anno Regni* 10.

CHICHESTER, lord deputy.

THE worthy knight, Sir Arthur Chicheſter, this year was created lord Chicheſter, and baron of Belfaſt.

IN this year, the king's moſt excellent majeſty determined to have a high court of parliament, to be holden at Dublin, in his majeſty's realm of Ireland, which ſhould begin upon the 18th day of May, in *anno* 1613, and the 11th year of his majeſty's reign over England, France, and Ireland, and of Scotland the 47th. Now when the right honourable the lord Chicheſter, then his majeſty's deputy general in the kingdom of Ireland, had received letters of advertiſement, what was the king's pleaſure herein to be done, he preſently ſent forth ſeveral warrants of ſummons throughout all the whole kingdom, firſt to the lords ſpiritual and temporal, to be in readineſs at Dublin, upon that day prefixed, with their robes of parliament, and all other things neceſſarily appertaining, to attend his majeſty's ſervice, during the parliament time. Likewiſe, ſummons were ſent to all ſheriffs of counties, to mayors, ſovereigns, portrieves, and all other chief officers of cities, and corporate

towns,

towns, to attend at the ſame parliament, to be knights of the ſhires, and burgeſſes of cities and towns. But in their elections of knights and burgeſſes, there grew great contention and ſtrife in ſundry places of the kingdom, by reaſon that the greateſt number of the people, as well noble as ignoble, were ſo inclined to Romaniſm and recuſancy, that they would not give their voices to the chuſing of any man, except they knew him to be an open recuſant; by means whereof, many hollow-hearted people were produced for knights of the ſhire, and burgeſſes of parliament.

But, amongſt all others, many of the citizens of Dublin, who were always accounted the patrons of loyalty to all the ſubjects of Ireland, and parragons of obedience to the kings of England, were now found to be poſſeſſed with other ſpirits. For when a warrant was directed to Sir James Carrol, knight, then mayor of the city of Dublin, and to the ſheriffs, to chuſe burgeſſes for the city, the mayor having ſome lands without in the county at Kilmainham, chooſing the knights of the parliament for the out ſhire, in whoſe abſence the two ſheriffs, with certain of the aldermen and citizens, went to the Tholſel houſe, and there not ſtaying for the return of the mayor, they choſe two aldermen for burgeſſes of the parliament-houſe, *viz.* Francis * Taylor

* Vide librum cui titulus eſt, Idea Conſtantiæ Togatæ, ſive Franciſci Tailleri Dublinienſis prætoris in perſecutione congreſſus, et religionis catholicæ defenſione interitus. 12mo Pariſiis 1629.

Taylor alderman, and Thomas Allen alderman. But this election was judged to be done by an indirect courſe, and therefore, the mayor intended the next morning to make another election in his own preſence, wherein the voices of the citizens and town-dwellers, as well Engliſh as Iriſh ſhould be allowed: ſo there aſſembled to the Tholſel the next morning all the whole city, as well Engliſh as Iriſh. But thoſe of the recuſant faction would not ſuffer any Engliſhman, or any other to ſpeak, but ſuch as they knew to be recuſants; whereupon was raiſed in the Tholſel a great tumult and mutiny, and the people recuſants being the greateſt number, quickly thruſt all the Engliſhmen with violence out of the door. And there was one Nicholas Stephens, a merchant of the city, that would have rung the alarum with the Tholſel bell, if he could have found the key: and others offered to lay hands upon the king's ſword, that was before the mayor; but the mayor in this hurly-burly took the ſword in his own hand, and went unto the lord deputy to complain: and ſo there was no other election made that day. Now the lord deputy gave a moſt heavy check to the two ſheriffs of the city, for chuſing the burgeſſes before the mayor came home; alſo he committed the ſaid Nicholas Stephens to the caſtle of Dublin. And the mayor called all the citizens forth to Hoggen-green, there to make a new election of burgeſſes; but the recuſant citizens ceaſed not ſtill to uphold and maintain their former election

election of alderman Taylor and alderman Allen : nevertheleſs, the mayor, with others of the aldermen, his brethren, and a great number of other good citizens, and loyal ſubjects, choſe there, Richard Bolton, eſq; one which was then recorder of the city, for one of the burgeſſes, and Richard Barry, an alderman of the city, for another ; who were preſented to the lord deputy, and were very well accepted.

Likewise, hurly-burlies, and other unneceſſary ſtirs, were moved in ſundry places of the kingdom, about the like cauſes ; but, chiefly, certain noblemen of the kingdom were greatly diſcontented with the proceedings of the parliament, as it appeareth by their letter directed to his majeſty, the true copy whereof doth immediately follow :

A letter directed to his majeſty, from ſix lords of the pale.

MOST renowned and dread ſovereign, the reſpective care of your highneſſes honour, with the obligation of our bounden duty, requireth from us, doth not permit, that we, the nobility of this part of your majeſty's kingdom of Ireland, commonly called the Engliſh Pale, ſhould ſuppreſs and be ſilent in ought, which in the leaſt meaſure might import the honour of your majeſty's moſt royal perſon, the reputation of your happy government, of the good and quiet of your eſtates and countries ; and therefore, are humbly bold to addreſs theſe our ſubmiſſive

miſſive lines to your majeſty, and ſo much the rather, 'till that of late years it hath been a duty ſpecially required of the nobility of this kingdom, to advertiſe their princes, your majeſty's moſt noble progenitors, of all matters tending to the ſervice, and to the utility of this kingdom. Your majeſty's pleaſure for calling a parliament in this kingdom, hath been lately divulged, but the matters therein to be propounded, not made known to us, and to others of the nobility; we being, notwithſtanding, of the grand council of the realm, and may well be conceived to be the council meant by the ſtatute made in king Henry the 7th's time, who ſhould join with the governor of this kingdom, in certifying thither, what acts ſhould paſs here in parliament; eſpecially, it being hard to exclude thoſe, that in reſpect of their eſtates and reſidence next your majeſty, ſhould moſt likely underſtand what were fitteſt to be enacted and ordained for the good of their prince and country; yet, are we, for our part, well perſuaded they will be ſuch as will conſort with the good and relief of your majeſty's ſubjects, and give hopeful expectation of reſtoration of this lately torn and rented eſtate; if your majeſty have been rightly informed, they having, as is ſaid, paſſed the cenſure of your highneſs's moſt rare and matchleſs judgment; but the externe and publick courſe held (whereas men of all ſorts and qualities do take notice) for the managing thereof, hath generally bred ſo grievous an apprehenſion, as is not in our

our power to expreſs, ariſing from a fearful ſuſpicion, that the project of erecting ſo many corporations in places that conſtantly paſs the rank of the poor villages in the pooreſt country of Chriſtendom, do tend to nought elſe at this time, but that by the voices of a few ſelected for that purpoſe, under the name of burgeſſes, extreme penal laws ſhould be impoſed upon your ſubjects, contrary to the natures, cuſtoms, and diſpoſitions of them all in effect, and ſo the general ſcope and inſtitution of parliament fruſtrated; they being ordained for the aſſurance of the ſubjects, not to be preſſed with any new edicts or laws, but ſuch as ſhould paſs with their general conſents and approbations. Your majeſty's ſubjects here, in general, do likewiſe very much diſtaſte and exclaim againſt the depoſing of ſo many magiſtrates in the cities and boroughs of this kingdom, for not ſwearing the oath of ſupremacy in ſpiritual and eccleſiaſtical cauſes, they proteſting a firm profeſſion of loyalty, and an acknowledgment of all kingly juriſdiction and authority in your highneſs; which courſe, for that it was ſo ſparingly and mildly carried in the time of your late ſiſter, of famous memory, queen Elizabeth, and but now in your highneſs's moſt happy reign, firſt extended to the remote parts of this country, doth ſo much the more affright and diſquiet the minds of your well-affected ſubjects, here eſpecially, they conceiving, that by this means, thoſe that are moſt ſufficient and fit to exerciſe and execute thoſe places

places and offices, are ſecluded and removed, and they driven to make choice of others conformable in that point, but otherwiſe very unfit and uncapable to undertake that charge, being generally of the meaner ſort. Now whether it conduceth to the good of your eſtate, hereby to ſuffer the ſecret, home, evil-affected ſubjects (of whom we wiſh there were none) to be tranſported with hope and expectation of the effects, which a general diſcontent might in time produce, and to give ſcope to the rebels, and diſcontented of this nation abroad, to calumniate and caſt an aſperſion upon the honour and integrity of your highneſs's government, by diſplaying in all countries, kingdoms and ſtates, and inculcating into all the ears of foreign kings and princes the foulneſs (as they will deny it) of ſuch practices, we humbly leave to your majeſty's moſt ſacred, high, and princely conſideration; and ſo upon the knees of our loyal hearts, do humbly pray, that your highneſs will be graciouſly pleaſed, not to give way to courſes in the general opinion of your ſubjects here ſo hard and exorbitant, as to erect towns and corporations of places, conſiſting of ſome few poor and beggarly cottages, but that your highneſs will give directions that there be no more erected, 'till timely traffick and commerce do make places in the remote and unſettled country here, fit to be incorporated, and that your majeſty will benignly content yourſelf with the ſervice of underſtanding men, to come as knights of the ſhires out

 of

of the chief countries, to the parliament: and to the end, to remove from your ſubjects here, thoſe fears and diſcontentments; that your highneſs, further will be graciouſly pleaſed to give order, that the proceeding to this parliament may be with the ſame moderation and indifferency, as your moſt royal predeceſſors have uſed in like caſes heretofore. Wherein, moreover, if your highneſs ſhall be pleaſed out of your gracious clemency, to withdraw ſuch laws as may tend to the forcing of your ſubjects conſciences, in matters concerning religion, you may ſettle their minds in a moſt firm and faithful ſubjection; the honour, which your majeſty, in all your actions and proceedings, hath hitherto ſo well maintained; the renown of your highneſs's tranſcendent underſtanding in matters of eſtates and government, and in particular, the exemplary precedent of your majeſty's never to be forgotten moderation, in deſcending to ſuch extraordinary courſes, for effecting an union of both kingdoms, ſo much deſired, doth give full hope and aſſurance, that your highneſs will duly weigh, and take in good worth theſe conſiderations by us laid down; and moſt graciouſly grant this our humble and ſubmiſſive ſuit, in which hope we do, and will always remain,

Dublin, 25 Nov. 1612.

Your majeſty's moſt loyal, and moſt dutiful ſubjects,

Gormanſton. Chriſ. Slane.
Robt. Trimbleſton. Matt. Louth.
Patrick Dunſany.

A letter

A letter from the ſame lords, to the lords of his majeſty's privy council in England.

OUR very good lords, we have addreſſed our humble and ſubmiſſive letters to the king's moſt excellent majeſty, thereby, in diſcharge of our bounden duties, to acquaint his highneſs with ſome things we underſtand concerning the parliament ſhortly intended to be called here, which we make no doubt his highneſs will impart unto your honours upon the receipt, as to thoſe upon whoſe judgment he doth moſt worthily build his deſigns. We have omitted, therefore, to particularize the ſame things to your lordſhips, humbly praying, that if ought not fitting ſo great a monarch have eſcaped us his poor and humble ſubjects, your lordſhips will be pleaſed to excuſe therein our over boldneſs, and to be a mean that his highneſs may conceive the ſame to proceed out from our plain, open, and loyal hearts; and thus relying on your honourable favours herein, we humbly take leave, and reſt

Dublin, 25 Nov. 1612.

Your honours, to be commanded,

Gormanſton. Chriſt. Slane.
Robt. Trimbleſton. Pat. Dunſany.
Matthew Louth.

THIS was the firſt letter that was ſent to his majeſty by the lords of Ireland, concerning the proceedings of the parliament. But there have been alſo ſundry ſecret practices and conferences between ſome men of note in Ireland, and ſome in England, it will more plainly appear by certain parts of parcels of letters, which have been collected out of their letters, and are here ſet down in order, as followeth:

Part of a letter from Sir Patrick Barnwall, to Mr. Chriſtopher Darcy, dated 16 July 1612.

I HEAR in this next parliament, there is a purpoſe to withhold ſome courſes, that which will overthrow the ſtates of moſt men in the kingdom, if they take effect, to which, if I ſhall be of that ſociety, it is like, among the reſt, I will give the beſt oppoſition I may, which like enough, in my private, will debar me from the expectation of any good from thence.

Part of another letter from Sir Patrick Barnwall, to Mr. Chriſtopher Darcy, dated 25 Sept. 1612.

NOW I muſt bemoan the general ſtate of this poor kingdom, which by a courſe now ſet on foot, will be brought into a perpetual thraldom. Here are to be erected 30 corporations, againſt this parliament, intended to be held about the end of February, from every of which are to come two burgeſſes, whereby all matters will be carried as they pleaſe; ſo as I ſee not why any man ſhould be deſirous to get land, or any

any thing elſe, in this miſerable country. If you think there be any poſſibility to work there the ſtay of this courſe, I pray you advertiſe me with all ſpeed; for this is meant to overlay us poor men in parliament, and to conclude upon what law they pleaſe.

Part of another letter from the ſame, to the ſame, dated 19 Feb. 1612.

YOU ſhall now underſtand, that ſome of the nobility here, have addreſſed their letters to his majeſty, that his highneſs would be pleaſed to have ſome commiſeration of this poor and diſtreſſed ſtate; and to the charges of him, who ſhould have delivered theſe letters, ſome few did contribute 40*l.* ſterl. I was of opinion, that you only ſhould have been intruſted, for the effecting this buſineſs; and that my nephew Plunket, who was nominated by ſome in reſpect of his private; and that I had heard that he had drawn upon him the diſlike and hatred of monſieur Dobignye, for that matter my nephew hath with his brother in law, was unfit to intermeddle in this; but in the end, I being in Connaught, it was agreed, that the cauſe ſhould be committed to you both; and therefore, if you have not received 20*l.* let me hear inſtantly from you, and how that matter is carried in particular.

Part of a letter from Sir Chriſt. Plunket, to his ſon James Plunket, London; or in his abſence to Chriſtopher Darcy, dated 28 Feb. 1612.

I WROTE to you to keep your vote of inſtructions very ſecret, yea, to burn it, and make ſome little particulars of the contents thereof; which, if you have not done, fail not upon ſight hereof to do it.

By theſe letters, and parts of letters, it may eaſily appear what plodding and plotting thoſe of the recuſant faction in Ireland daily practiſed, long before the parliament began, to the intent to make ſome ſtay of the parliament, or at leaſt to put over the time with delays, in hope to draw the proceedings thereof, more nearer unto their own humourous affection. But the peremptory day of the parliament drawing near at hand, all the nobility of the kingdom, the lords ſpiritual and temporal, the knights and burgeſſes out of all quarters, repaired to the city of Dublin, there to give their attendance as appertained.

And upon the 18th day of May, being Tueſday, the lord deputy, with all the peers of the realm, and the noblemen, the clergy, both biſhops and archbiſhops, attired in ſcarlet robes very ſumptuouſly, with ſound of trumpets; the lord David Barry, viſcount Buttevant, bearing the ſword of eſtate; the earl of Thomond, bearing the cap of maintenance: and after all theſe, the lord deputy followed, riding upon a moſt

moſt ſtately horſe, very richly trapped, himſelf attired in a very rich and ſtately robe of purple velvet, which the king's majeſty had ſent him, having his train borne up by eight gentlemen of worth: and thus, in moſt ſtately and ſumptuous manner, they rode from the caſtle of Dublin, to the cathedral church of St. Patrick, to hear divine ſervice, and a ſermon preached by the reverend father in God, Chriſtopher Hampton, D. D. archbiſhop of Armagh, and primate of all Ireland.

But as many of the nobility of Ireland, as were of the recuſant faction, went not into the church, neither heard divine ſervice or ſermon, notwithſtanding that they were lords of the parliament houſe, and rode towards the church with other lords of eſtate, yet they ſtayed without during the time of ſervice and ſermon. Now when ſervice was done, the lord deputy returned back to the caſtle, thoſe recuſant lords joined themſelves again with the reſt of the eſtate, and rode to the caſtle in manner as before they came from thence.

Now the lord deputy, with all this honourable aſſembly, being entered into the caſtle, aſcended up into the high houſe of parliament, where he ſat down in his chair of eſtate; likewiſe, the lord chancellor ſat down according to his eſtate; alſo the nobility of the kingdom, the lords ſpiritual and temporal, every one ſat down accordingly.

And when the whole high court of parliament was ſet, the lord chancellor made a grave

and worthy ſpeech, concerning many great and worthy cauſes of eſtate, there to be debated upon, for the good of the kingdom, and for the commonwealth thereof; and among many other things, his lordſhip declared the king's majeſty's pleaſure, concerning Sir John Davis, his majeſty's attorney-general in Ireland; and how his highneſs was pleaſed, that he ſhould be the ſpeaker of the lower parliament houſe, and for that purpoſe, his majeſty had by his gracious letters, recommended the ſaid Sir John Davis unto the lord deputy, and the whole ſtate of the parliament houſe, willing them to accept of him for that purpoſe.

After this oration ended, and other matters debated upon, as fitly appertained to the firſt days action of the parliament, the lord deputy roſe up, and made an end for that day, being the 18th of May 1613.

The next day, being the 19th of May, and the 2d of the parliament, the ſaid Sir John Davis was brought into the parliament houſe, to be preſented, and to take his place according to his majeſty's good meaning, and was well allowed of and accepted of all men, except thoſe which were infected with the opinions of recuſancy, whereof were ſome there of all degrees, which took exceptions againſt Sir John Davis; and thereupon aroſe a great tumult, becauſe there were two elections, *viz.* thoſe of the recuſants ſect had choſen Sir John Everard knight, for the ſpeaker, and therefore, would in no wiſe

accept

accept of Sir John Davis, and in this diviſion grew an uncertainty who had moſt voices; whereupon Sir John Davis, with all thoſe of the proteſtancy, went out to be numbered, and before they came in again thoſe of the recuſancy had ſhut the door, and had ſet Sir John Everard in the chair of the ſpeaker; but when the proteſtants ſaw that, they quietly pulled Sir John Everard out of the chair, and held Sir John Davis therein; and thus, with great contention, the 2d and 3d days were ſpent: but the recuſants prevailed not, for Sir John Davis was maintained in the place, according to his highneſs's good meaning. Then did the recuſants of both houſes of parliament withdraw themſelves, and reſorted not thither any more, notwithſtanding that they were often ſent for by the lord deputy. And now they began to invent new projects, whereupon they had ſundry ſecret meetings among themſelves; and now they deviſed to write again other letters to his highneſs, as it ſhall appear hereafter following in their due places.

Upon the 21ſt day of May, being Friday, the lord deputy, with the lord chancellor, the lords archbiſhops, and all other biſhops, and as many of the nobility as could be gotten together; with the knights of the ſhires, and the burgeſſes of the cities and towns, entered into the parliament houſe; and when they now ſat down, Sir John Davis knight, being his majeſty's attorney-general in this kingdom, was preſented before the lord

lord deputy, for the ſpeaker of the lower houſe, who made before them all this oration here following:

MOST honourable lord, and right-worthy deputy, of our moſt invincible, renowned, and gracious ſovereign, I am here preſented unto your lordſhip by theſe worthy knights and burgeſſes, repreſenting the ſtate of the commons in this kingdom, to be their ſpeaker in this high court of parliament. To this place of ſpeaker they have elected me orderly and duly, according to your lordſhip's direction, and according to the ancient privileges and orders of that houſe; which election, being not only voluntary, but a judicial act of theirs, I may not preſume to ſay it is erroneous, I will not aſſign any error in their judgment, for the reverence I bear to the authority, and infallible wiſdom of that council; howbeit, by way of exception to my own weakneſs and diſability, I have appealed from that election, to your lordſhip's wiſdom and judgment, which appeal, as it is lawful, ſo is it moſt proper in this caſe; for that neither the election, nor preſentation, can take any further effect, without your lordſhip's approbation and aſſent, which is indeed the royal aſſent itſelf.

THAT the commons aſſembled in parliament ſhould have one common ſpeaker for them all, is doubtleſs a matter not only of cuſtom and conveniency, but alſo of neceſſity for the management and diſpatch of publick buſineſs. For the tower of Babel may be an example unto all aſſemblies,

aſſemblies, that where there is a confuſion of tongues, great works can never go well forward: but this ſpeaker, as he muſt ſpeak for all, being firſt, is elected out of all, and elected by all, or the greater part, ſo ſhould he be the beſt able of all, to diſcharge this place of ſervice. For he that muſt be the tongue and voice of ſo many eloquent men; he that muſt deliver the knowledge of ſo many learned men; he that muſt pronounce the judgment of ſo many grave and wiſe men, had need have the quinteſcence or ſpirit of all their gifts and perfections, to qualify him, and to make him ſufficient for this employment. For it is not enough for him to be meanly enabled, to be tolerable and reaſonable well, but he had need to be paſſing well furniſhed, he had need to be accompliſhed ſoundly well with all gifts and perfections, with all abilities and ornaments that are required in an excellent ſpeaker; he had need have a quick conceipt and apprehenſion, a large and faithful memory, a deep and ſound judgment, and a long practice and experience in all the affairs of the common-wealth; and with all, and above all, he ought to have a ſingular facility and eloquency of ſpeech, whereby he may be able upon all occaſions to ſpeak readily, roundly, plentifully, properly, orderly, judicially, and wiſely, of all matters of ſtate, matters of law, matters of the church, matters of the crown, the cauſes and caſes of particular men, and the general ſtate of the commonwealth; in a word, whereas every other

other profeſſion hath a particular ſcience ſufficient to enable the profeſſor thereof, it is the profeſſion of a perfect ſpeaker to be ſkilful in every man's profeſſion; for there is no ſtate or condition of men, no action or accidents, but may happen to be a ſubject for him to ſpeak of, ſo as it is not ſufficient for a ſpeaker to have a volubility of tongue only, or a current or ſtream of words, but he ſhould have a fountain of knowledge in him, out of which his ſpeech ſhould ſpring, reſult, and flow plentifully; he ſhould have withal, a clear underſtanding of things, to make his ſpeech lively, quick, and ſignificant: for it is the clearneſs of a man's conceipt that doth give life and ſpirit unto his words. I omit to ſpeak of the continual uſe and practice that he ought to have both of his tongue and ſtile, the ſingular care and diligence that he ought to have to be thoroughly inſtructed in the cauſe that he undertakes to ſpeak unto, the clearneſs and ſweetneſs of his voice, and comelineſs of his geſture, the aſſuredneſs of his countenance, and the life and ſpirit of his pronunciation.

These, and many other like gifts and abilities, are needful and requiſite in a perfect ſpeaker, and ſuch a one I doubt not your lordſhip doth expect; you look for ſuch a one to be preſented a ſpeaker at this time unto you. But am I the man then? Am I he that ſhall anſwer your lordſhip's expectation in this? no, my noble lord, by no means; for my own abilities are ſo mean, and my imperfections are ſo many,

as

as I begin to ſink already under the burthen, before it be fully impoſed on my ſhoulders; otherwiſe I proteſt, unfeignedly, that if I could ſpeak with the tongues of men and angels, that is, if I had all the beſt abilities of ſpeech in the world, I would moſt gladly employ them all, and think all too little for the ſervice of that houſe.

Besides, I do ſo much eſteem the authority and judgment of thoſe that have elected me, as, if I did not know perfectly, and feel mine own imperfections, I could eaſily perſuade myſelf, that their good opinion were ſufficient to enable me, and make me capable of this employment.

But I am ſo well acquainted with myſelf, and do know well, *quid valeant humeri, quid ferre recuſant*, and this knowledge doth make me ſo ſenſible of mine own weakneſs and diſability, as either their opinions, which in all other matters muſt be an oracle to me, my ſelf-love itſelf, which doth flatter every natural man more or leſs, and doth raiſe his imaginations, when there is any colour of worthineſs in him, can poſſibly make me think myſelf able to diſcharge this place with any ſufficiency; and therefore, under your lordſhip's favour, I am as far from taking this charge upon me, as I am from ability in diſcharging it; and I am ſo far from anſwering your lordſhip's expectation, as I fear this rude and imperfect ſpeech doth move you already in your inward conceipt, to condemn the judgment of theſe gentlemen, in preſenting an infant inſtead of a ſpeaker.

And

And yet I have now ſpoken in ſuch an argument, as I am beſt able to handle of any other, I mean the diſabling of myſelf; for therein, I cannot chuſe but ſpeak ſenſibly, having ſo perfect a ſenſe and feeling of my own diſability.

Therefore, my humble ſuit unto your lordſhip is, that either in your judgment, your lordſhip will pronounce a nullity in this election, or in your fulneſs of power diſpence with mine attendance in this place; and thereupon, that your lordſhip will be pleaſed to require theſe worthy knights and burgeſſes once again to proceed to a new election of a more able and worthy ſpeaker, which they may eaſily and ſpeedily do; for that there was never ſo plentiful choice of grave, learned, and ſufficient gentlemen of the commons aſſembled, in any parliament, ſince the firſt inſtitution of parliaments in this kingdom.

This ſpeech being ended, whereunto the lord deputy, and all that were preſent, had given authentick hearing, for the great eloquence and variety of rhetorical phraſes, which he there uttered, ſtill diſabling himſelf as one unworthy and far unfit to be choſen ſpeaker, for the managing of ſo great and weighty affairs, as there were to be handled in behalf of his majeſty.

All this, notwithſtanding, the lord deputy gave good allowance to his election, and with ſuch grave and weighty arguments, together with his powerful authority, approved his worthineſs and fitneſs to be employed, ſo that of neceſſity

neceſſity the ſaid Sir John Davis muſt needs proceed as ſpeaker for the lower houſe of parliament, according to the former election : and this approbation being made, he preſently proceeded with his ſecond ſpeech, as it here immediately doth follow.

MOST honourable, and right noble lord, ſince your high wiſdom, unto which I humbly made my appeal, hath not thought it fit to repeal, but rather to ratify and confirm the judgment of theſe worthy knights and burgeſſes in electing me (yet ſtill unworthy in mine own opinion) to be their ſpeaker, which your lordſhip, I doubt not, hath been pleaſed to do, not in regard of any worthineſs appearing in me, but for the honourable reſpect you worthily bear to the grave and wiſe aſſembly that made the election, I do humbly and abſolutely ſubmit myſelf to your lordſhip's pleaſure : and ſince theſe gentlemen have firſt conferred on me, and now your lordſhip hath confirmed the name and office of a ſpeaker, I will preſume, with your lordſhip's grace and favour, to ſpeak ſome things in this great and entire aſſembly of all the ſtates of this kingdom, that ſhall be proper and agreeable to the circumſtances of the time, of the place, and of the perſons that are aſſembled.

1. It is a ſaying and rule of the wiſeſt king that ever lived, *Ubi multa concilia, ibi ſalus populi* ; and it is the direction of the wiſeſt king that now liveth, that a common council ſhould be

be holden at this time, and at this place, for the common good of the kingdom of England.

2. SUCH common councils, or aſſemblies of ſtates, are uſual in all ſtates and commonwealths, in one form or other, and in divers countries are called by divers names; but under the Engliſh monarchy and the French, which are two of the beſt temporal monarchies in the world, they are called parliaments.

3. THESE parliaments, though they conſiſt of three different ſtates, the king, the nobility, and commons, yet, as in muſick, diſtinct and ſeveral notes do make a perfect harmony, ſo theſe councils, compounded of divers ſtates and degrees, being well ordered and tuned, do make a perfect concord in a commonwealth. *Namque harmonia natura muſicæ in cantu ea eſt in cum tali concordia*, ſaith Cicero. And this concord or harmony of hearts, doth ever produce the ſafety and ſecurity of the people, which is the *ſalus populi* that Solomon ſpeaketh of.

4. WHEREFORE there cannot be a more certain demonſtration than this, that theſe two kingdoms, which have been ruled by thoſe parliaments, are now the moſt ancient imperial monarchies of Chriſtendom, and are withal two of the moſt flouriſhing commonwealths that are to be found upon the face of the earth.

5. BUT doth this concern this kingdom of Ireland, or what application hath it to the place and perſons preſent? Aſſuredly, when I ſpeak

of

of the monarchy of England, I include the kingdom of Ireland within the circle of that imperial crown. For the kings of England no ſooner were lords of Ireland, but that they made a real union of both theſe kingdoms, as is manifeſt by many ancient records of the time of king Henry 3. ſo as Ireland became but as a member, *quaſi membrum Anglicæ*, as it is reſolved by all the juſtices in 13 Henry 7. It became a member appendant and belonging, as the act of faculties, 28 Henry 8, calleth it, united and annexed to the imperial crown of the realm of England, as the ſtatutes of 33 Henry 8. which gave to that prince the title of King of Ireland, doth term it: and now at this day, God be bleſſed, the ſubjects of both realms have but one king, which is the renowned king of England, and are ruled and governed by one common law, which is the juſt and honourable common law of Ireland. And as there is none but one common law, ſo for the ſpace of 140 years after king Henry 2. had taken poſſeſſion of the lordſhip of Ireland, there was but one parliament for both kingdoms, which was the parliament of England; for Ireland had none during all that time, but the laws made in the parliament of England were from time to time tranſmitted hither under the great ſeal of that kingdom, to be proclaimed, inrolled, and exerciſed as laws of this realm. In this manner was the great charter of the ancient liberties of the Engliſh ſubjects, the ſtatutes of Merton and Marl-

 borough,

borough, ſent over by king John and king Hen. 3. the ſtatutes of Weſtminſter the 1ſt, 2d, and 3d. and the ſtatutes of Glouceſter, by king Edw. 1. the ſtatutes of Lincoln and York by king Ed. 2. Among the reſt, that of Weſtminſter the 2d, and that of York, in their ſeveral preambles do make expreſs mention of the people and land of Ireland, as well as of England, where the laws were made; all which ſtatutes together, with the warrants and writs whereby they were tranſmitted, we find inrolled and preſerved to this day among the records of this kingdom.

6. But when then, how long ſince, in what king's reign, was that great common council, this high court of parliament erected firſt and eſtabliſhed in Ireland?

7. Doubtless, though the reſt of the ordinary courts of juſtice began with the firſt plantation of the Engliſh colonies here, yet the wiſdom of the ſtate of England thought it fit to reſerve the power of making laws to the parliament of England for many years after: ſo as this high extraordinary court was not eſtabliſhed in Ireland, by authority out of England, in the form that it now is, 'till towards the declining of the reign of Edward 2. For, before that time, the meetings and conſultations of the great lords, with ſome of the commons, for appeaſing of diſſentions among themſelves, though they be called parliaments in the ancient annals, yet being without orderly ſummons, or formal proceedings, are rather to be called parleys, than parliaments.

8. But

8. But by what reaſon of ſtate was the ſtate of England moved to eſtabliſh this court of parliament in Ireland at that time?

9. Assuredly this common council was then inſtituted when Ireland ſtood moſt in need of council; for under the conduct of Edward le Bruce, the Scottiſh nation had overcome the whole realm. England had the ſame enemy at her back, and the barons rebellion in her bowels; and ſo being diſtracted in herſelf, could neither give Concilium nor Auxilium to the diſtreſſed ſubjects here; ſo as they being left to their own ſtrength and council, did then obtain authority from the ſtate of England to hold this common council of the realm among themſelves, for the quenching of that common fire, that had almoſt conſumed the whole kingdom.

10. And this, by the teſtimony of the beſt antiquaries, was the firſt occaſion of inſtituting this high court of parliament in Ireland.

11. But now why ſhould I not, with your lordſhip's favour, proceed further, and take a brief view of the principal parliaments that have been holden in Ireland ſince that time, and therein note and obſerve what were the motives from time to time of calling thoſe common councils, and what and how many the perſons were that were wont to be called thereunto; that it may appear, by way of compariſon, how far this place is like to excel all former parliaments holden in this kingdom, not only in the felicity of the time, but in all other circumſtances whatſoever.

12. Certain it is, that the incurſions of the Scots, and the inſurrection of the Iriſh concurring with it, and the intolerable oppreſſion and extortion of the great lords of the realm, under colour of maintaining that army, that ſhould repel the one, and repreſs the other, brought ſuch miſery and deſtruction upon this land about the latter end of Edward the 2d's reign, that the Engliſh colonies of the province without the Engliſh pale, fell for the moſt part into ſuch corruption of manners, as it became a greater labour to reform them by law, than to conquer their enemies by the ſword. Therefore, in the reign of king Edward 3. Sir Anthony Lacy did ſummon and hold one parliament in his time, and Sir Ralph Uffort another in his time; and the principal cauſe of holding both theſe parliaments was to repreſs the inſolency, and to reform the abuſes of the great lords deſcended of Engliſh race, of whom the earl of Deſmond was the moſt exorbitant offender. And after that, during the ſame king's reign, Sir Thomas Rookerby, at one time, and Lionel duke of Clarence at another time, held ſeveral parliaments at Kilkenny, which tended to no other end but to reduce the degenerate Engliſh in general from the barbarous cuſtoms of the Iriſh to their ancient civil manners, and the obedience of their true mother the ſtates of England.

13. After this we find the ſame courſe ſtill to continue of calling ſtanding parliaments in this realm, until the wars of Lancaſter and York began,

began, which made a great alteration in both kingdoms. For if we look into the parliament rolls of thoſe times which are mean between the 40th year of king Edward 3, and the 30th year of king Henry 6, we ſhall firſt find the ſtatutes of Kilkenny confirmed in every parliament, and then the laws of principal conſideration are againſt coyne and livery, ceſs of ſoldiers, night-ſuppers, comricks, and like extorting and lewd cuſtoms, which the Engliſh had learned among the Iriſh.

14. So as for the ſpace of 140 years after the firſt erecting this high court of parliament in Ireland, it is apparent, that never any parliament was called to reduce the Iriſhry to obedience, or to perfect the conqueſt of the whole kingdom of Ireland, but only to reform the Engliſh colonies, that were become degenerate, and to retain the ſovereignty of the crown of England over them only, and to no other endor purpoſe. But when the civil war in England began, and between the two houſes was thoroughly kindled, that fiery conſtellation made ſuch an impreſſion upon this realm alſo, as the nobility following the ſeveral factions of the Engliſh, fell into the like diſſentions here, which gave the Iriſh opportunity to conquer the greateſt part of the Engliſh colonies, who thereupon fell into ſuch a relapſe or barbariſm, as the fruits of the former parliaments were utterly loſt, and no part of the realm but thoſe ſhires of the pale left under the obedience of the laws of England.

15. But what did the governors of this kingdom then, when the juriſdiction of the law was drawn into ſo narrow a compaſs? Did they not ſummon any more parliaments? Or did they omit to call the common council of the realm; for that the greateſt part of the realm had rejected the king's laws and government? Aſſuredly, they were ſo far from that neglect or omiſſion, as parliaments were never ſo often called, none ſo thick upon one another, as in the times of king Henry 6. and king Edward 4. For ſcarce there paſſed a year without a parliament, and ſometimes two or three parliaments were ſummoned and held within the compaſs of a year; which was ſuch a trouble and charge to the ſubjects, as a ſpecial law was made, that there ſhould be but one parliament held in a year.

16. But to what end did they call ſo many parliaments? What matters did they handle in thoſe common councils? Did they conſult about the recovery of the provinces that were loſt, or about the diſſolving of all the Iriſhry? We find no ſuch matters at all propounded; but we find in the parliament in the rolls of that time an extraordinary number of private bills and petitions, anſwers, and orders in parliaments, containing ſuch mean and ordinary matters, that but for want of other buſineſs, were not fit to be handled in ſo high a court.

17. And ſuch were the motives of calling the parliaments in this kingdom, and the matters there debated, during the wars of York and Lancaſter,

Lancaſter, and after that likewiſe until the 10th year of king Henry 7. In that year, which was the 10th year after the uniting the Roſes, as now it is full ten years ſince the uniting of the kingdoms under one imperial crown (a happy paradiſe time we hope for the holding of a parliament in this kingdom) In that year did Sir Edward Poynings ſummon and hold this famous parliament, wherein doubtleſs he ſhewed a large heart, and a great deſire of a general reformation; and to that end procured many general laws to paſs, which we find moſt profitable and neceſſary for the commonweal at this day: among the reſt, he cauſed two laws to be made, which may rightly be called, *Leges Legum*, being excellent laws concerning the laws themſelves: whereof one did look backward to the time paſt, and gave a great ſupply to the defects of former parliaments, by confirming and eſtabliſhing at once in this realm all the ſtatutes formerly made in England: the other looked forward to the time to come, by providing, that from thenceforth that there ſhould no parliament be holden until the acts that ſhould be propounded were firſt certified into England, and approved by the king and council there, and then returned hither under the great ſeal of that realm. This latter act is that which we call *Poynings' Act*, and is, indeed, that act of parliament, which is a rule for our parliaments until this day.

18. But theſe acts paſſed by Sir Edward Poynings, though they were made and meant

for the general good, and gave indeed the firſt overture for the general reformation that hath followed ſince that time, yet could they not produce ſo great a good as was intended by thoſe laws; becauſe that more than three parts of four of this kingdom at leaſt were then and long after poſſeſſed by the Iriſh and unreformed Engliſh, which were not anſwerable to the laws. As for the principal parliaments, that have been holden ſince that time, during the reigns of king Hen. 8. queen Mary, and queen Elizabeth (for king Edward 6. did not call a parliament in Ireland) they were all ſummoned upon ſpecial and particular occaſions, and not for the ſettlement of the whole kingdom.

19. For to what end was that parliament holden by the lord Leonard Gray in the 22d of Henry 8. but to attaint the Geraldines, and to aboliſh the uſurped power of the pope? Wherefore did Sir Anthony St. Leger call the next parliament after in 33 Henry 8. but to inveſt that prince with the title of king of Ireland, and ſuppreſs the abbies and religious houſes? To what purpoſe did the earl of Suſſex hold his firſt parliament in 3d and 4th of Philip and Mary, but to ſettle Leix and Offaly in the crown; and his ſecond in the 2d year of queen Elizabeth, but to re-eſtabliſh the reformed religion in this kingdom? What was the principal cauſe that Sir Henry Sidney held a parliament in the 11th year of queen Elizabeth, but to extinguiſh the name of O Neal, and to entitle the

crown

crown to the greateſt part of Ulſter? And, laſtly, what was the chief motive of the laſt parliament holden by Sir John Perrot, but the attainder of two great peers of this kingdom, the viſcount Baltinglaſs and the earl of Deſmond, and the veſting of their lands, and the lands of their adherents, in the actual poſſeſſion of the crown.

20. And now having made a ſummary collection of the principal cauſes of ſummoning the former parliaments, which from time to time have been holden, ſince the firſt inſtitution of this high court in Ireland, I muſt not forget to note alſo unto your lordſhip, what and how many perſons were called in former times to make up the body of this council. For the perſons before the 33d of king Henry 8. we do not find any to have had place in the parliament but the Engliſh of blood, or the Engliſh of birth only. For the meer Iriſh in thoſe days were never admitted, as well becauſe their countries lying out of the limits of counties, could have no knights, and having neither cities nor boroughs in them, could ſend no burgeſſes to the parliament. Beſides, the ſtate did not as then hold them fit to be truſted with the council of the kingdom.

21. For the number, ſince the 34th year of king Henry 8. when Meath was divided into two ſhires, there were no more than twelve counties in Ireland beſides the liberty of Tipperary, the number of knights muſt needs have

been

been but few: anfl ſince the ancient cities were but few, and the boroughs which ſent burgeſſes not above thirty, the entire body of the whole houſe of the commons could not then conſiſt of one hundred perſons. And although queen Mary did add two ſhires, and queen Elizabeth ſeventeen more to encreaſe the number of knights in that houſe, yet all did not ſend knights to the laſt parliament, for the remote ſhires of Ulſter returned none at all.

22. For the lords temporal, though they are yet but few, yet was their number leſs, before king Henry 8. was ſtiled king of Ireland. For ſince that time divers of the Iriſh nobility, and ſome deſcended of Engliſh race, have been created both earls and barons.

23. And laſtly, for the biſhops and archbiſhops, though their number was greater than now it is, in reſpect of the divers unions made of latter years, yet ſuch as were reſident in the meer Iriſh countries, and did not acknowledge the king to be their patron, were never ſummoned to any parliament.

24. And now, by way of compariſon, it may eaſily appear unto your lordſhip, how much this firſt parliament, now begun under the bleſſed government of our moſt gracious king James, is like to excel all other parliaments, as well in reſpect of the cauſe and time of calling it, as of the perſons that are called unto it.

25. For, this parliament, God be bleſſed, is not called to repel an invaſion, or to repreſs

a re-

a rebellion, or to reduce degenerate perſons to their obedience; it is not ſummoned to paſs private bills only, or to ſerve private turns, or for one ſpecial ſhare for the crown, though ſuch have been the occaſion and cauſes of calling the moſt part of the former parliaments.

26. But now, ſince God hath bleſſed the whole iſland with an univerſal peace and obedience, together with plenty, civility, and other felicities, more than ever it enjoyed in any former age, this general council of the whole realm is now called principally to confirm and eſtabliſh thoſe bleſſings unto us, and to make them perpetual to our poſterity.

27. Again, this parliament is not called in ſuch a broken and miſerable time, that we need complain in our bills and petitions of the miſeries and calamities of this kingdom, whereas the rolls of former parliaments are full of ſuch complaints; but it is called, as it were in the year of jubilee, or upon the ſabbath-day of this land, being now at reſt after her travails, which laſted 400 years together.

28. It is called in the time of great ſecurity, and in the moſt joyful and happy time that ever ſhone upon the inhabitants of this kingdom.

29. Again, it is not called in ſuch a time, as when the four ſhires of the pale only did ſend their barons, knights, and burgeſſes of the parliament, when they alone took upon them to make laws to bind the whole kingdom, neglecting to call the ſubjects reſiding in other parts of the

the realm unto them, as appeareth by that parliament holden by the viſcount Gormanſton, which Sir Edward Poynings in the 10th year of king Henry 7. cauſed to be utterly repealed, and the acts thereof made void, chiefly for that the ſummons of parliament went forth to the four ſhires of the pale only, and not to all the reſt of the country.

30. BUT it is called in ſuch a time, when this great and mighty kingdom being wholly reduced to ſhire ground containeth thirty-three counties at large, when all Ulſter and Conaught, as well as Leinſter and Munſter, have voices in parliament by their knights and burgeſſes, when all the inhabitants of the kingdom, Iriſh of birth, Engliſh of blood, and new Britiſh colonies, and the old Iriſh natives, do all meet together to make laws for the common good of themſelves and others, and their poſterity. To this end his majeſty hath moſt graciouſly and juſtly erected divers new boroughs in ſundry parts of this kingdom. I ſay, his majeſty hath done it moſt juſtly, even as his highneſs himſelf hath been pleaſed to ſay, that he was obliged in juſtice and honour to give all his free ſubjects of this kingdom indifferent and equal voices in making of their laws, ſo as one half of the ſubjects ſhould not make laws alone, which ſhould bind the other half without their conſents; neither is that a new or ſtrange precedent, for his majeſty doth follow the ſteps herein of his next predeceſſor, which went before him. Queen Mary made two counties

counties of Leix and Offaly, whereby they were enabled to ſend knights to the parliament; but they erected no boroughs in theſe new counties, that they might ſend burgeſſes as well as knights.

31. In queen Elizabeth's time, Sir Henry Sidney made ſundry counties in Conaught immediately before the parliament which he held in the 11th year of that queen. After him Sir John Perrot did the like in Ulſter, near about the beginning of the laſt parliament. Out of theſe new counties ſo many knights were added to the lower houſe, yet no man took exceptions thereunto. This did queen Elizabeth in her time; what hath king James done more? whereas the queen had omitted to make boroughs in theſe new counties, the king hath now ſupplied that defect by making theſe new corporations we now ſpeak of. For why ſhould all your old ſhires have cities and boroughs in them, and theſe new counties be without them? Or, ſhall queen Elizabeth be able to make a county, and ſhall not king James be able to make a borough? But what proportion is there now obſerved between the number of the counties, that before this time had no boroughs in them, and the number of the boroughs newly erected? certainly the number of theſe new boroughs, compared with the counties that never had any boroughs before this time, doth carry a leſs proportion than the ancient counties; for in theſe 12 or 13 ſhires there are 50 cities and boroughs at the

the leaſt, which ſend citizens and burgeſſes to the parliament.

32. WHEREAS for 17 counties at large, being more than half the ſhires of the kingdom, which had not one borough in them before this new creation, his majeſty now lately created but 40 new boroughs or thereabouts, which in the judgment of all indifferent men muſt needs ſeem reaſonable, juſt and honourable.

33. LASTLY, this parliament is called in ſuch a time, when all the lords ſpiritual and temporal do acknowledge the king of England to be their undoubted patron; and when all the lords temporal do appear in an humble faſhion, like themſelves, none of them, God be thanked, claiming any ſuch privilege, as the undutiful earl of Deſmond was wont to claim, that he ſhould never be ſummoned to come within any walled town, nor any parliament, or any grand council, but at his own will and pleaſure.

34. WHEREUPON I may poſitively conclude, that this preſent parliament, now begun by your lordſhip, doth paſs and excel all former parliamtnts that ever were holden in this kingdom, as well in the happineſs of the time wherein it is called, and the importance of the cauſe for which it is called, as in the number and worthineſs of the perſons which are called thereunto.

35. AND this, doubtleſs, is a great honour and happineſs unto your lordſhip, above all the former viceroys of this kingdom: For that your lordſhip doth now hold the firſt parliament, that

may

may be juſtly called a common council, wherein all the commons throughout the kingdom are are preſent, and have free voices by their knights and burgeſſes, a glory and great felicity, that many of your predeceſſors zealous of the reformation of this kingdom did exceedingly deſire, but could never attain unto it.

36. How glad would Sir Henry Sidney have been to have ſeen this day, he that ſo much deſired to reform Ulſter, but could never perfectly perform it? What honour would he have thought it unto himſelf, if he might have held a parliament, unto which that province ſhould have ſent ſo many worthy knights and burgeſſes as it now doth?

37. How joyful would Thomas earl of Suſſex have been to have ſeen the ſtatute he cauſed to be made for reducing the Iriſh countries into ſhire ground, to have taken ſo good effect, as now it hath, ſince all thoſe countries are now brought into counties, and do all ſend knights to ſerve in this parliament.

38. In a word, Sir Edward Poynings in the time of king Henry 7, and Lionel duke of Clarence in Edward the 3d's time, if they could but have ſeen half ſuch an aſſembly in their parliaments, would have thought themſelves happy, and highly honoured; and yet theſe parliaments holden by them are the moſt famous parliaments that have been formerly holden in this kingdom.

39. And truly, as your lordſhip hath more honour in this reſpect, than any of your prede-

ceſſors;

ceſſors; ſo I may juſtly ſay, without adulation, that your lordſhip hath merited this particular honour more than any of them that have gone before you.

40. For if it be an honour to you to hold ſuch a parliament, you do but reap the fruits of your own labours, ſince yourſelf principally have prepared the ways to this parliament, as well by your martial virtue in time af war, as by your juſtice and policy in time of peace.

41. For, hath not your lordſhip, I humbly crave your lordſhip's pardon, I will not preſume to aſk the queſtion, but I aſk thoſe reverend prelates, and noble lords, thoſe grave and learned judges, thoſe worthy knights and burgeſſes, I will aſk of them the queſtion: Hath not this moſt noble deputy been a principal author of the reformation of this kingdom? Was not his fortitude one of the chief inſtruments for ſuppreſſing the late rebellion? And hath not his juſtice ſince that time eſtabliſhed the publick peace of this kingdom? Hath he not acted his part ſo well upon the theatre of honour, as no man is ambitious to come upon the ſtage after him, knowing it is more eaſy to ſucceed him in his place, than to follow him in painful and prudent courſes of government; and that he muſt be as ſtrong as Hercules to undergo the burthen, that ſuch an Atlas hath borne before him? Nay, hath not himſelf performed Hercules' labours, in ſuppreſſing more monſtrous enormities in Ireland, than Hercules did deſtroy monſters, when he ſought adventures all over Europe.

42. I

42. I ASK not theſe queſtions, as if any man here were doubtful or ignorant of his noble virtues and deſerts : but as praiſe is nothing but a reſolution of his noble virtues, ſo ſhould it be delivered rather collaterally than directly, to avoid ſuſpicion of direct flattery, which I know your lordſhip loves not, as I know your lordſhip needs it not.

43. NEVERTHELESS, right noble lord, for, now I muſt addreſs my ſpeech to your lordſhip, though you have no need of my praiſe ; yet it is moſt needful, in reſpect of the place you hold, that your lordſhip ſhould be adorned with all praiſe, and worthy virtues. You had need be a virtuous and moſt worthy deputy, ſince you ſit in the throne, and repreſent the perſon of the moſt virtuous and excellent king in the world.

44. FOR he that doth fight with the ſword of a king, writeth with the pen. He that hath the juſtice, mercy, and bounty of a king in his hands, had need be furniſhed with thoſe noble powers and virtues, as are fit for the rule and government of a kingdom : eſpecially if he hold the place of ſuch a king as our moſt renowned and gracious ſovereign is, who is the greateſt and beſt king that now reigneth upon the face of the whole earth.

45. I CALL him the greateſt king, not ſo much for the largeneſs and extent of his territories, nor for the multitude of his ſubjects, tho' he be in poſſeſſion of three great kingdoms, and doth command more martial and able men than any king in Europe at this day.

46. But I will call him the greateſt king for his exceeding great meaſure of goodneſs and virtue, and for the great grace and favour that his majeſty ſtandeth in with the Divine Majeſty of the King of Kings. For, if that man be accounted the greateſt ſubject of a kingdom, that is in higheſt favour with a king upon earth, why ſhould not that king be the greateſt king upon earth, that is in greateſt favour with the King of heaven? And that our moſt gracious ſovereign ſtandeth in higheſt favour with Almighty God, doth not only appear by the innumerable bleſſings poured from heaven upon him, and upon his kingdoms for his ſake, by the ſpecial providence and care God had always had of his ſacred perſon, by protecting and delivering him from ſo many mortal and imminent dangers.

47. Again, I will call him the beſt king; for he is a moſt juſt king, and juſtice is the beſt of all kingly virtues; and for that alſo he is a moſt bountiful king, reſembling therein his divine goodneſs, ever ſurrendering and communicating his riches to others, which we muſt needs remember in this kingdom; for we cannot forget it without ingratitude, ſince we all know that his majeſty doth not only expend the whole revenues of this land upon itſelf, but ſpares yearly out of England a great maſs of treaſure to ſupport the extraordinary charges thereof, out of which the greater number of us here preſent by entertainments, penſions, or rewards, do taſte every day of his majeſty's bounty.

48. Lastly,

48. Lastly, his majeſty ought to be called the beſt king, as well for his ſweet inclination to peace, whereby he doth make happy both his own dominions, and alſo his neighbours kingdoms round about him, as for his ſingular piety and religion towards God, which is the beſt and higheſt praiſe that can be given to any prince.

49. But I ſhould launch forth into a main ſea, that hath neither bottom nor ſhore, if I ſhould proceed further in the praiſe of ſuch a prince, whoſe worthineſs exceed all degrees of compariſon; it is a theme too high and too large for me to handle. It becometh me better to give thanks than praiſe, and therefore I will conclude with moſt humble thanks, firſt, unto Almighty God, for giving us ſuch an excellent king; then unto our gracious king for appointing us ſo worthy a deputy; and laſtly, unto our noble deputy, for all his good ſervices, and endeavours tending ſo much to the honour of God, the king, and the general good of this whole kingdom.

And now I deſcend unto thoſe humble petitions, which I am to make, &c.

The end of his ſecond ſpeech.

With this ſpeech was ended alſo four days ſitting of the parliament, and nothing done, but ſtill contending about the ſpeaker. But when the recuſant nobility ſaw by this fourth day's exerciſe, that they could not prevail, nor have

ſuch a ſpeaker, as was to their own liking, they did, as before is ſaid, abſent themſelves one after another from the parliament houſe, notwithſtanding that the moſt voices in election went ſtill with Sir John Davis for to be the ſpeaker in that lower houſe, as it will appear very plain, by a table here collected, gathered, and drawn for that purpoſe, by Edmond Wedhopp, eſq; clerk of the lower houſe of the parliament, as it doth hereafter follow:

The lower houſe of parliament did conſiſt of 232 perſons, whereof	127 gave voice at the election for Sir John Davis knight, being all proteſtants.	Beſides, that 6 did not appear,	Whereof 4 were proteſtants:	230
	97 gave voice for Sir John Everard knight, ſometimes chief juſtice of the king's bench, being all recuſants.		The other 2 recuſants, which made up	

Beſides, Sir John Davis and Sir John Everard, which made up the full number of 232.

I MAY not proceed any further without remembrance of two ſpecial letters, whereof one was

was directed to the king, and the other in manner of a petition, to the lords of the privy council, both bearing date the 19th of May 1613, *viz.* the ſecond day of the parliament, whereby it doth appear, that the lords recuſants of Ireland, would not let ſlip any opportunity, or paſs any time, that might give them leave to plot any project, or work any invention, that might hinder, make ſtay, or delay of the preſent parliaments proceedings, as it will appear more plainly by the reading of theſe two letters here immediately following:

The letter of divers lords of the pale.

MAY it pleaſe your majeſty, ſuch is the exceſſive grief and anxiety of mind and conſcience, which we the nobility of this your highneſs's kingdom here, as well in parliament, whoſe names are here under-written, do conceive by the more prepoſterous courſes holden therein, as we muſt be inforced before we deſcend further, moſt humbly with tears, to implore your gracious favour, that if the due regard of your majeſty's ſacred honour, the careful conſideration of the good peace and tranquility of this your realm and country, the tender and feeling reſpect of our bounden and obliged duty to both, do carry us in aught beyond the limits of a well-tempered moderation, your highneſs will be graciouſly pleaſed to pardon our exceſs herein, ſo far as *pius dolor* and *juſta ira-*

cundia do in themſelves deſerve. It would far paſs the compaſs of a letter if we ſhould inſiſt to particularize the manifeſt, old, precedent diſorders, and ſuch as ſtill do accompany this intended action; only your highneſs ſhall underſtand, that many knights from counties, and citizens and burgeſſes from cities and towns, have contrary to the true election been returned, and in ſome places force, and in many others fraud, deceit, and indirect means uſed for effecting of this ſo lawleſs a courſe of proceeding. Neither can we but make known unto your majeſty, that under pretence of erecting towns in places of the new plantation, more corporations have been made ſince the beginning of laſt month, or a little more, than are returned out of the whole kingdom; beſides, the number whereof (as we conceive it) contrary to your highneſs's intended purpoſe, are diſperſed throughout all parts of this kingdom; and that in divers places where there be good ancient boroughs, and not allowed to ſend burgeſſes to the parliament; and yet theſe new created corporations for the moſt part are ſo miſerable and beggarly poor, as their *tuguria* cannot otherwiſe be holden or denied than *tituli ſine re, et fugimenta in rebus*, for divers of which their extreme poverty being not able to defray the charges of burgeſſes, nor the places themſelves, to afford to any one man fit to preſent himſelf in the pooreſt ſociety of men, though we muſt confeſs, that ſome of great faſhion have not ſticked to abaſe themſelves to

theſe

theſe places, do appear. The lord deputy's ſervants, attornies, and clerks, reſident only in the city of Dublin, moſt of them having never ſeen or known the places for which they were returned, and others of contemptible life and carriage, and what outrageous violence was offered yeſterday to a grave gentleman, whom men of all ſorts that know him do and will confeſs him to be both learned, grave, and diſcreet, and free from all touch and imputation, whom thoſe of the lower houſe, to whom no exceptions could be taken, had choſen to be their ſpeaker, we leave, for avoiding tedioufneſs to your highneſs, to their own further declaration. And foraſmuch as, moſt renowned and dread ſovereign, we cannot in any due proportion of reaſon expect redreſs in theſe our diſtreſſed calamities, where many of thoſe, who repreſent the body of your eſtate, were the chief author of them, upon the knees of our loyal and ſubmiſſive hearts, we humbly pray, that it would pleaſe your majeſty to admit ſome of us to the acceſs of your royal preſence, where if we fail in the leaſt point of theſe our aſſertions and declarations of other evils, which do multiply in this eſtate, we willingly ſubmit ourſelves to any puniſhment, as deſerved, which it ſhall pleaſe your highneſs to lay and inflict upon us. For we are thoſe, by the effuſion of whoſe anceſtors blood the foundation of that empire which we acknowledge your highneſs by the laws of God and man, to have over this kingdom and people,

was firſt laid, and in many ſucceeding ages preſerved. To us it properly appertaineth, both in the obligation of publick duty and private intereſt, to heed the good thereof, who never laid the foundation of our hopes upon the repair of it, garboils and diſſentions being the downfal of our eſtate, as ſome of us now living can witneſs; and therefore, we cannot, but out of the conſideration of our bounden duty and allegigiance, make known unto your highneſs the general diſcontent which thoſe ſtrange, unlooked for, and never heard of courſes particularly have bred; whereof, if the rebellious and diſcontented of this nation abroad do take advantage, and procure the evil-affected at home, which are numbers, by reaſon of that already-ſettled and intended plantation, in any hoſtile faſhion to ſet diſorders on foot, and labour ſome underhand relief from any prince or eſtate abroad, who peradventure might be inveigled and drawn to commiſerate their pretended diſtreſſes and oppreſſions; however, we aſſured the proweſs and power of your majeſty in the end will bring the authors thereof to ruin and confuſion, yet will all things be drawn into great confuſion, to the effuſion of much blood, exhauſting of maſſes of treaſure, the expoſing of us, and others your highneſs's well-affected ſubjects, to the hazard of poverty, whereof the memory is very lively and freſh among us; and finally, to the laying open of the whole commonalty to the inundation of all miſeries and calamities, which garboils, civil war,

war, and diſſention, do breed and draw with them, in a rent and torn eſtate; for prevention whereof, we nothing doubt but your majeſty will give redreſs, by the equal balance of your highneſs's juſtice, which we beſeech the Almighty, with your royal perſon, ever to maintain and preſerve,

Your majeſty's moſt faithful ſubjects,

David Buttevant. Gormanſton. Da. Roche. Fermoy. Montgarret. Killine. Delvin. Chriſtopher Slane. Robert Trymbleſton. James Dunboyne. Matthew Louth. Thomas Cahyr.

May 19, 1613.

The ſame lords, aforeſaid, have written to the lords of the privy council another letter, in form of a petition, in the name of themſelves, and others, the knights, citizens, and burgeſſes of the parliament, as it doth here immediately follow:

To the right honourable the lords of his majeſty's moſt honourable privy council.

The humble petition of the knights, citizens, and burgeſſes of the counties, cities, and ancient boroughs of Ireland.

MOST humbly declaring to your lordſhips, that the aſſurance of that his majeſty's moſt princely inviolable juſtice, whereof your lordſhips, in matters of ſtate and government, are the high and ſupreme diſtributors, doth embolden

bolden us in our oppreſſions, to addreſs theſe our ſubmiſſive lines to your honours, wherein our purpoſe is, not to be our pleaſers, the ſtrangeneſs of our extremities finding no fit words to expreſs it; and therefore, in declaration of the naked truth, your lordſhips ſhall underſtand, that we, the knights, citizens, and burgeſſes of the counties, cities, and ancient boroughs of this realm, coming according to our bounden duties into the parliament houſe, we find there 14 councellors of ſtate, 3 of the judges, having before received writs to appear in the higher houſe, all his majeſty's council at law, and the reſt of the number, for the moſt part, conſiſting of attornies, clerks in courts, of the lord deputy's retinue, and others his houſhold ſervants, with ſome lately come out of England, having no abiding here; and all theſe, ſave very few, were returned from the new corporations erected, to the number of 40, or thereabouts, not only in places of the new plantation, but alſo in other provinces, where there be corporations of antiquity, few or none of them having been ever reſident, and moſt of them having never ſeen theſe places, the reſt, who poſſeſſed the rooms of knights of ſhires, ſave 4 or 6, came in by practice, and diſhoneſt devices, whereunto themſelves were not ſtrangers; and ſome there were from ancient boroughs, who intruded themſelves into their places, by as undue and unlawful means, as the knights and burgeſſes duly elected were ready at the parliament door to prove and avouch:

avouch: for redreſs whereof, we of the ancient ſhires, cities, and towns, to whom no exceptions could be taken, being deſirous to take the uſual and accuſtomed courſe, what outrageous violence enſued by the fury of ſome there, we humbly leave to your lordſhips to be informed by our declarations, whereunto a ſchedule, by direction of my lord deputy, ſubſcribed with our hands, is annexed. And foraſmuch, right honourable, the ſtrangeneſs of theſe proceedings in a Chriſtian commonwealth is ſuch, as we cannot think his majeſty and your lordſhips will hardly be induced to believe, they being, in the likelihood of impoſſibility, equal to that of Meſſalino unto the emperor Claudius in ancient Rome, or to any other accident, how rare ſoever, tranſmitted to their poſterity in modern or ancient ſhires, we humbly pray, that your lordſhips, in commiſeration of our diſtreſs, will be a mean to his highneſs, that ſome of us, with ſome of our nobility, may be licenſed to preſent ourſelves there for the proof of our aſſertions, wherein if we fail in any one point, we utterly renounce all favour, and that in the mean time his majeſty will be pleaſed to ſuſpend his gracious judgment, in the apprehenſion of what to our prejudice may be informed here, thoſe from whom his highneſs doth uſually receive information, being the authors of the carriage of what is done amiſs.

The end of this petitionary letter.

THE

The two letters being thus written, as before you have heard, were ſent with all expedition to England to his majeſty, the contents of which letters were returned back again into Ireland to the lord deputy within ſixteen days, as you ſhall hear hereafter. Now it is neceſſary that we in the mean time do proceed farther concerning the actions and dealings of the parliament-houſe.

But firſt it is to be remembred, that upon the 23d day of May, being Whitſon-ſunday, the lord deputy rode in very great ſtate (but not in any parliament robes) to the cathedral church of St. Patrick's to hear divine ſervice and a ſermon, being attended on by all the nobility of the kingdom, lords ſpiritual and temporal, in very great pomp, as appertained; but not one of the lords recuſants went into the church that day, but ſtayed without, as they had done the like upon the firſt day of the parliament: and when the ſervice and ſermon was ended, and the lord deputy returning back to the caſtle, the viſcount Buttevant and the viſcount Gormanſton fell at debate for precedence of places, as who ſhould ride foremoſt, or take the upper hand, &c. which ſtrife continued between them all along the ſtreet, even till they came to the caſtle gate, whereby the lord deputy and all that honourable company were greatly diſturbed and troubled, and with much ado they were appeaſed for that time. And ſhortly after they were called before the lord deputy and council, where each of them challenged precedency of the other by antiquity

of

of their births and callings; but when their antiquities appeared doubtful and could not be well proved for the want of good records, it was ordered that the viſcount Buttevant ſhould have the precedency until the viſcount Gormanſton could bring forth more ancient records than the other.

LIKEWISE at another time the baron of Lixna and the baron of Delvin contended for precedency. So did the baron of Trimbleſtown and the young baron of Dunſany.

NOTWITHSTANDING this, and many other diſturbances, the parliament yet continued ſitting, and there ſat ſome four or five of the lords natives of the kingdom, from day to day, together with the lords ſpiritual and temporal, and alſo the knights of the ſhires, with the citizens and burgeſſes of cities and corporate towns, as many of them as could be gotten together, where were debated many matters, and many bills and petition heard, but very few determined of, except an act of recognition for the acknowledgment of the king's majeſty's royal prerogative concerning his highneſs's right and title to the crown and kingdom of Ireland.

THERE was alſo called a convocation of the clergy, which was holden as a national ſynod for the kingdom of Ireland, within the cathedral church of St. Patrick, there to propound queſtions of religion, and to compoſe articles for the avoiding diverſities of opinions, and the eſtabliſhing of conſent touching true religion.

There

There was alſo determined what ſubſidy the clergy of Ireland ſhould pay to the king; in which convocation Mr. Ralph Barlow, batchelor in divinity and chaplain to the lord deputy, was elected prolocutor for the lower houſe of convocation.

While theſe things and many other more of great conſequence were debating in the parliament houſe, there was ſpent about ſome four or five days more, and no buſineſs perfected, by reaſon that the recuſants of all degrees, either abſented themſelves altogether from the parliament, or elſe conſented not to any concluſion of ſuch queſtions as were there propounded; by means whereof the parliament was adjourned until the fifth of June.

The thirty-firſt of May, being Monday, were executed Patrick Hudſon, Thomas Reynolds and John Adams for piracies and murders committed on the ſeas upon the north coaſt of Ireland.

About this time came letters out of England to call the lords recuſants to appear before the king's majeſty, according as they themſelves had formerly requeſted in their letters ſent the ſecond time to his highneſs. And preſently hereupon the lord deputy with all expedition ſent the earl of Thomond, Sir John Denham, lord chief juſtice of the king's bench, and Sir Oliver St. John, maſter of the ordinance, into England, there to certify his majeſty the truth of all the proceedings of the parliament in Ireland, and

to

to reply againſt the lord recuſants, as occaſion ſhould ſerve, and according as they ſhould receive inſtructions from the lord deputy from time to time. Alſo the lord deputy gave notice to the lords recuſants, that they had leave and liberty to go into England without interruption, there to ſhew themſelves before the king, and to proſecute their complaints at their pleaſure, who were marvellouſly joyful at that news, and prepared themſelves in all haſte to depart, with a ſettled reſolution to oppoſe themſelves againſt all the proceedings of the parliament-houſe; and ſo all theſe being departed, the lord deputy adjourned the parliament again the ſecond time until the fifth of October.

The names of thoſe that went firſt into England, Jenico Preſton, viſcount Gormanſton, James lord baron of Dunboyne, Sir Chriſtopher Plunket, Sir James Goughe, knights, William Talbot, Edward Fitz-Harris, eſquires.

If there were any more that went over at this time, I have not any notice of them.

Now after the earl of Thomond, Sir John Denham and Sir Oliver St. John were gone into England, who took ſhipping the 28th of May, there were neceſſary inſtructions to be ſent over to the earl, and to his worthy aſſociates, concerning certification and replication, if need were, whereof here followeth a part or parcel in theſe lines next following.

A PART of the inſtructions ſent to the earl of Thomond, Sir John Denam, and Sir Oliver St. John in England, 6th Junii, 1613.

WHEREAS they ſay, that ſuch as were returned to their party were without exception, you may ſhew the contrary by ſhewing how many of them were heads of rebellion in the laſt wars, how ſome of them can ſpeak no Engliſh, how they were all elected by a general combination and practice of jeſuits and prieſts, who charged all the people, upon pain of excommunication, not to elect any of the king's religion.

To acquaint the lords of the council in the preſence of the recuſant lords and commons now gone thither, that in conference had with Tyrone and his Iriſh partakers in the late rebellion, when they thought to carry the kingdom from the crown of England, he and the reſt of the ancient Iriſh did ſolemnly declare and publiſh, that no perſon of what quality or degree ſoever, being deſcended of Iriſh race, birth or blood, though they came in with the conqueſt, and were ſince degenerated and become Iriſh by alteration of name and cuſtoms, ſhould inherit or poſſeſs a foot of land within the kingdom, for that they had of the ancient Iriſh that could pretend juſtly to every foot of land which they poſſeſſed, who ſhould enjoy the ſame. And when it was demanded of them by ſome degenerate Engliſh, and others of good ſirnames, who did join and

partake

partake with them in that rebellion; what ſhould become of them and their houſes and families, they ſaid, that thoſe of the rebellion ſhould be ſlain; the reſt, if they would ſtay in the land, ſhould be entertained for their bonaughts, or to labour, and if they liked not thereof they might depart the kingdom.

THIS diſcourſe notwithſtanding they can be content to admit into the houſe of parliament to make laws, ſome of the principal actors in that rebellion, and are offended, that they cannot expulſe the king's honeſt ſubjects to draw in more of that wicked crew, as namely are elected and returned, Sir Bryan Mc Mahon, who is married to Tyrone's daughter, Sir Tibot ne Long, alias Bourke, Phelim Mc Tiege Byrne, Dermot Mc Cartie, alias Mc Donogh, Donnel O Sullivan, Bryan Mc Donogh, ſuppoſed by the recuſants duly elected; and that they would fain draw into the houſe Sir Tirlagh M'Henry O'Neal, half brother to Tyrone, Sir Arthur M'Genis, who is married to Tyrone's daughter, Henry M'Shane O'Neal, Tirlagh M'Art O'Neal, Connor Roe Maguire, Sir John M'Coughlan, Callogh O'Moloy, Capt. Richard Tyrrell, and others of that crew. For they would have Barabbas, and exclude Jeſus.

ARTHUR CHICHESTER.

IMMEDIATELY after the departure into England of thoſe lords, and others of the recuſants, the jeſuits

jeſuits and ſeminary prieſts that were in Ireland, began to ſeduce the people of the country, and made them to believe that theſe lords recuſants and the reſt were gone over of purpoſe to be agents and ſuitors to the king for the good of the common wealth, and for the ſetting up of their religion, or at leaſt to obtain liberty of conſcience; and therefore it was meet that they ſhould contribute, and every man according to his ability to give money for the maintenance of thoſe agents, and to bear their charges during their abode in England: which thing was granted, and collectors appointed in every barony to levy and take up a certain kind of impoſition under the name of benevolence, or a voluntary liberality, whereby the poorer ſort within a while were ſorely vexed and moleſted by the collectors, altogether unknown to the lord deputy: but when his lordſhip had intelligence of thoſe diſorders, and how his majeſty's ſubjects were oppreſſed of thoſe collectors by ſuch an irregular courſe, he preſently ſent forth proclamations throughout the whole kingdom to advertiſe all his majeſty's ſubjects, that there was not any ſuch matter as ſetting up of religion or liberty of conſcience to be looked for, and that the lords and others that went over were ſent for by ſpecial commandment from the king's majeſty, to anſwer ſuch abuſes and abſurd dealings as hath been committed in the parliament-houſe and elſewhere in other places of the realm, about chooſing the knights of the ſhires and the burgeſſes

geſſes of cities and corporate towns to attend in that high court of parliament; and likewiſe ſtraight charge and commandment was given in the ſaid proclamation, that no more monies ſhould be collected in that nature, but the money whereſoever collected ſhould be redelivered back again to the owners, upon pain of great puniſhments to be inflicted: and ſo that collection ceaſed.

THESE noblemen and the reſt of the recuſants, when they came into the preſence of the king, his majeſty was well pleaſed to give them gracious entertainment of his princely clemency, he vouchſafed to uſe ſundry conferences with them as well publick as private, wherein thoſe recuſants endeavoured to put the king's majeſty in diſlike of the lord deputy, and with his proceedings in the government of the kingdom of Ireland, and daily they urged many grievous complaints againſt him, as will appear more plain by their petitions and articles exhibited to the king, the true copies of which here follow in as good order as poſſibly they could be collected and gathered together.

To the King's moſt Excellent MAJESTY.

The humble petition of moſt of the temporal lords, the knights, citizens and burgeſſes of moſt of the counties, cities, and ancient boroughs, aſſembled to the parliament in Ireland, by their agents, the lords viſcount Gormanſton,

manſton, the lord baron of Dunboyne, Sir Chriſtopher Plunket, Sir James Goughe, knights, William Talbot and Edward Fitz-harris, eſquires.

MOST mighty and moſt gracious ſovereign, preſuming upon your ever renowned juſtice and prudence, which maketh your highneſs through the world ſo admired, and the hard terms whereunto we are driven by the diſorders uſed in the proceedings to this preſent parliament now called in your majeſty's realm of Ireland, we your highneſs's moſt faithful and obedient ſubjects, the greateſt number of the temporal lords, together with the knights, citizens, and burgeſſes of the counties, cities, and ancient boroughs underwritten, aſſembled to the ſaid parliament, do in moſt humble and ſubmiſſive manner, by our agents above-named, preſent and offer to your highneſs's moſt deep and ſincere judgment and conſideration this annexed ſchedule, containing ſome particulars of miſcarriages and abuſes in the election of knights, citizens, and burgeſſes of ſeveral cities, counties, and boroughs, and the corrupt and falſe returns of divers ſheriffs and officers to the ſaid parliament, whereof we formerly complained in general terms, according as the ſame hath been complained upon, and delivered unto us from the inhabitants of thoſe places. By which indirect proceedings (it being a matter very dangerous, that the ſheriffs ſhould, at their pleaſure, make

make the lower houſe of parliament to conſiſt of what perſons they pleaſed to return) and by means of other ſtrange and unwarranted courſes, now alſo held in the ſaid parliament, which your ſuppliants are ready to lay open upon the further hearing of this cauſe, being over long to be particularized in this petition, your humble ſubjects and ſupplicants do fear, that the way is laid open to the infringing of thoſe moderate liberties and privileges, which the ſubjects of thoſe your majeſty's kingdoms of England and Ireland, as their birthright do hold, and have enjoyed ſince the firſt inſtitution of the laws whereby they are governed.

And although, dread ſovereign, under ſo wiſe, ſo juſt, ſo merciful a prince as your highneſs, we cannot expect any other laws to be introduced, than ſuch as may tend to the good of the kingdom, and may beſt ſort with the nature of your majeſty's people, yet ſuch is the tender reſpect and care we are bound to have of your majeſty's honour, and ſo great danger that ſuch precedents may in time to come bring upon us and our poſterities, as we thought it our duties to your highneſs and our country, not to join ſo exorbitant proceedings, which would not only give occaſion to the ill affected to ſcandalize your never impaired juſtice and government, but alſo lay perpetual infamy upon us, as concurring and aſſenting to the ſame. And foraſmuch as we may very well ſuppoſe, that thoſe raiſed to high places and callings by your ma-

jeſty's great bounty, who ſtick not to violate the privileges of the lower houſe of parliament, by offering violence and force to us your majeſty's moſt faithful ſubjects lawfully there called and aſſembled, they having, by force, pulled down out of his chair the ſpeaker lawfully elected by us, and terrified ourſelves by their violent carriage there in ſo ſacred a place, do now endeavour to caſt heavy aſperſions upon us, thereby to withdraw your gracious cares from our juſt complaints: we moſt humbly beſeech your highneſs, to afford us in your highneſs's own perſon, favourable and indifferent hearing, whereupon we doubt not, your ſacred majeſty will yield the favour and juſtice to your highneſs's poor ſubjects of the kingdom, which they moſt earneſtly expect, and do ſtand with your inherent and hereditary juſtice and clemency, and they and we ſhall always pray for your highneſs's long and happy reign over us. And in regard that acts of parliament do bind all ſubjects of the kingdom, as things done by their own conſent, whereby not only laws are made or altered, but alſo the lives, lands, and eſtates of any perſon may be taken away, or otherwiſe diſpoſed of thereby, and to the end therefore that the ſubjects may chooſe thoſe, and in whom they may repoſe moſt confidence, the laws do provide, that the election of knights of the ſhires, citizens, and burgeſſes, who do repreſent the whole body of the commons of the kingdom, ſhould be made openly and freely without force or fraud,

and

and that ſuch men ſhould be choſen as are reſidents and have eſtates in the places for which they are choſen, to the end that ſuch men (being beſt acquainted with the condition and nature of the people) may make laws and ſtatutes moſt agreeable and expedient for them; and by the ſtatutes in force in that kingdom, thoſe which are to be elected knights of ſhires ſhould be of the nativity of the ſame country; to which laws and ſtatutes divers miſ-elections with force, fraud and falſe returns have been made, practiſed and uſed in the counties and places here underwritten for this preſent parliament, as may appear by the ſeveral petitions of the inhabitants complaining and ſeeking redreſs herein:

County of Armagh. Elected Sir Tirlough Mc Henry, and Henry O'Neal, yet the ſheriff returned Sir Toby Caulfield, and Sir John Bourchier, who hath no reſidence there in that county.

County of Cavan. Elected Walter Talbot, and Richard Tyrrel, eſquires, but John Fiſh, and Sir Oliver Lambert were returned, &c.

It ſeemeth by the contents of this petition and of ſundry other circumſtances, whereof you ſhall read hereafter; that there have been omitted for brevity ſake many of theſe particulars mentioned in the ſchedule, and that theſe two, the counties of Armagh and Cavan are only ſet down for examples, as ſufficient for the whole.

These recuſant lords, and others the petitioners from Ireland, were commanded to ſtay in England, there to attend his majeſty's good

 pleaſure,

pleaſure, until ſuch time as his highneſs had leiſure to peruſe all their complaints, and ſeriouſly to debate upon every particular, to the end that after deep conſideration had, through grave advice and wiſe council, ſuch anſwer might be given them as beſt ſhould be fitting to his highneſs's royal prerogative, his princely magnificence and clemency, and to the honour of his empire and monarchy.

The lords of the privy council in England by direction from the king, did write to the lord deputy in Ireland, requiring him to ſend over into England twelve of the moſt noted perſons recuſants of the parliament-houſe, *viz.* four lords, four knights, four burgeſſes; but before that letter came to the hands of the lord deputy, the lords, knights and burgeſſes, had, by way of interceſſion to the lord deputy, obtained licence for ſix of their company to go into England, as agents for the whole, which ſix are often before named, and are alſo again named in the title of the ſubſequent petition.

To the King's moſt Excellent MAJESTY.

The humble petition of Jenico lord viſcount Gormanſton, James lord baron of Dunboyne, Sir Chriſtopher Plunket, Sir James Gough, knights, William Talbot and Edward Fitz-Harris, eſquires, agents for and on behalf of others of the lords, knights, citizens and burgeſſes, aſſembled in this preſent parliament of Ireland.

MAY

MAY it pleaſe your highneſs,

WHEREAS upon humble petition and complaint to your moſt excellent majeſty from divers of the lords, knights, citizens and burgeſſes, aſſembled in this preſent parliament now in Ireland, touching divers hard courſes practiſed and uſed in the proceedings of the ſaid parliament, it pleaſed the lords of your highneſs's council here, by your majeſty's direction, to give order to the lord deputy of that kingdom, to permit four of the lords and eight of the knights, citizens and burgeſſes aforeſaid, to make their repair hither to your highneſs, to ſet forth more particularly their cauſes of grievance. Before receipt of which directions the ſaid lord deputy (at the inſtant requeſt of the lords, knights, citizens and burgeſſes aforeſaid) did give licence to us your humble ſubjects above named, to addreſs ourſelves to your majeſty, as agents for the reſt that complained: whereupon we by their authority and direction preferred humble petitions to your highneſs, concerning ſome parts of the diſorders and abuſes, which your majeſty benignly and favourably was pleaſed to accept and peruſe, to the great joy and contentment of us, and all other your highneſs's faithful ſubjects. But now it is, dread ſovereign, that the ſaid lord deputy, upon the ſaid directions received, after our departure from that kingdom, did require ſix more of the lords, knights, citizens and burgeſſes aforeſaid, to

to repair to your highneſs forthwith for the ſame cauſe; and for ſo much as we being employed and ſent hither as agents, by inſtructions and authority from the reſt, are thought by them a number competent for that purpoſe, and for that, more of them will prove but an unneceſſary charge and delay; it may pleaſe your moſt excellent majeſty to accept of our attendance for the whole, and to give directions for the ſtay of all the reſidue in that kingdom, until your majeſty ſhall upon further cauſe otherwiſe determine. And foraſmuch as our laſt petition exhibited to your highneſs (for avoiding tediouſneſs) we did omit to particularize divers other grievances, ariſing of the ſaid proceedings to the parliament aforeſaid, we have preſumed herewith (according to our inſtructions) humbly to preſent to your moſt gracious view and conſideration a further relation of other miſcarriages, errors and abuſes in the ſame, moſt humbly beſeeching your highneſs in your moſt ſincere judgment and juſtice to take ſuch orders and courſes for redreſs thereof, as may ſtand with the honour and renown of ſo mighty a prince, and the comfort, eaſe and relief of your people, and they and we, &c. ſhall continually pray for your majeſty's royal progeny long to reign over us.

It appeareth that there was not any good hearing given to this petition concerning the principal ſubſtance thereof, which was, that his majeſty would be pleaſed to give directions, that there ſhould not be any more of the recuſant lords,

lords, knights, citizens, and burgeſſes of the parliament ſent for over; but that requeſt was not granted, for not long after there were many more ſent for than before, as it will appear in the diſcourſes following; but firſt we muſt here ſet down theſe further miſcarriages here following, becauſe they are dependencies of this former petition, and of others that have been formerly exhibited.

Some further miſcarriages, errors and abuſes in the proceedings of this preſent parliament in Ireland, beſides thoſe formerly preſented to your majeſty by petition.

MAY it pleaſe your moſt excellent majeſty to be advertized, that your highneſs's kingdom of Ireland is divided into thirty-two ſhires, ſeven cities, and very many ancient burroughs, of which ancient burroughs there were not warned to this parliament throughout the whole kingdom, above the number of thirty or thereabouts, which, as it appeareth, was done of purpoſe, and not of negligence, in that divers of the ſheriffs of Meath and Kildare being deſired to ſend precepts to divers ancient burroughs in their counties refuſed ſo to do, alledging they had ſpecial directions to the contrary. Some ſheriffs likewiſe, as namely the ſheriffs of the county of Wexford and Weſtmeath, having formerly ſent warrants to divers ancient burroughs in thoſe counties, and burgeſſes being choſen upon thoſe warrants, the ſheriffs refuſed notwith-

notwithſtanding to accept the returns of the officers of thoſe burroughs, and ſo none appeared for them in this parliament.

Of the other ſide there appeared in this parliament for new corporations never before heard of by us, to the number of four ſcore perſons, or more, of whom very few were natives of the country, but for the moſt part captains, lieutenants and commanders of ſoldiers which did daily oppreſs the poor country, many clerks, attornies, and officers of courts and places, who with exceſſive fees continually extorted upon the ſubject, divers ſervants to great men, and others that made their benefit by following intruſions and concealments to the great impoveriſhment of the ancient gentlemen and freeholders; ſo as theſe being the greateſt enormities and grievances in that poor common wealth, the inhabitants (who expected redreſs thereof by laws to be enacted in that parliament) ſeeing ſo many in number of that ſort of people, as theſe that joined with them were able to overſway the whole houſe by the multitude of their voices, were in deſpair of any good remedy to be provided by their means for thoſe things which they moſt deſired.

Few or none of theſe had their reſidence or being (as by law they ought to have) in thoſe places for which they appeared, many of them having never ſeen them, and ſome of them ſcarcely knowing the names of thoſe places, yea ſome of them being but lately come into that

kingdom

kingdom had no determination of abode there to make themſelves, or their poſterities liable to thoſe laws they would there enact.

These new erected corporations alſo for the moſt part are beggarly and poor, being neither inhabited, nor able to ſend burgeſſes of their own, or go upon their own charges to parliament: and whereas in the ancient boroughs there be divers freeholders holding by burgage tenure, ſo as the inhabitants are not immediate dependents altogether upon one man, it is otherwiſe now in theſe new corporations, for that the freeholders of each of them, for the moſt part is altogether in one man; ſo as he being able to command his tenants at will, or for years, may have by their means the nomination of thoſe who are to give voice in parliament, where the inhabitants of a whole county can have no more.

We conceive, if it may pleaſe your highneſs, that your gracious intention and direction for granting a liberty to thoſe new corporations, that they ſhould have voice in parliament, was upon ſuggeſtion made, and argument urged, that it were hard to bind thoſe people by new laws or ſtatutes, who had no means to give or deny their conſents in enacting of them: but that ſuggeſtion was not altogether true; for they being within the counties and ſhire ground (as all the kingdom of Ireland is) they had voice by two knights of every one of the ſhires, wherein theſe corporations are erected; which might as well ſatiſy them, as Wales is ſupplied by one knight and

and one burgeſs only for every ſhire. And whereas in ſome of thoſe counties there are now erected 6 new corporations, in many ſeveral ſhires of this your highneſs's kingdom of England, (being far better peopled, and ſtored with towns and habitation, than there is likelihood the other will be for many years yet to come) there is but one borough alone that ſend burgeſſes to the parliament; yea, in Rutland-ſhire, there is not one city or borough that hath voice in parliament; yet thoſe in Ireland are not ſatisfied with a convenient number or proportion (as doubtleſs your highneſs's intention was they ſhould be) but have made up ſo many as they do ſeek to preſcribe laws thereby to the whole kingdom beſides: and many of theſe new erected corporations are in ſhires and counties, where there were before ſufficient number of cities and ancient boroughs.

There are alſo new charters ſent to ſome ancient boroughs, without the requeſt of the great number of the inhabitants, and of theſe charters ſome few, as to the number of 12, or thereabouts, are only ſelected, and enabled to ſend burgeſſes for the parliament, excluding thereby the reſidue of the inhabitants, who by the laws and ſtatutes of the kingdom, ought to have voice in the election. And upon ſome of theſe new charters, this ſelected number do chuſe two of themſelves for burgeſſes, contrary, as we conceive, to the very charters, whereby it is limited that the 12 burgeſſes ſhall concur in the election of burgeſſes.

Of this kind of compoſition, joining with them thoſe that were miſ-elected and falſely re-

turned,

turned, moſt gracious ſovereign, conſiſted that number in the lower houſe of parliament, the firſt day of our ſitting, who by violence and force pulled down from his chair Sir John Everard, knight, the ſpeaker duly choſen and elected by us, the lawful members of that houſe, and quietly ſettled and placed there, a man of grave, civil, and diſcreet carriage, who having with great commendations a good while ſupplied the place of one of the juſtices of your majeſty's place, upon his ſurrender thereof was graced with a penſion by your highneſs's royal bounty; whom the ſaid diſorderly company having forcibly pulled down as aforeſaid, tore his garments, and bruiſed his body, with like violence and force they put up in his lap Sir John Davis, who being himſelf in-ſelected, and falſely returned into the houſe, could not be elected to that place.

We moſt humbly leave now to your majeſty's due conſideration, whether it ſtandeth with the never dying honour of your majeſty, with the good of that commonwealth, which muſt receive prejudice by giving way to ſuch a precedent, or with our own poor reputation, beſides the intolerable hurt that muſt fall on ourſelves, and on our poſterities, that we ſhould join to be partakers in ſuch kind of proceedings, we doubt not your majeſty in your tranſcendent judgment and underſtanding will hold, that in withdrawing ourſelves, and ſignifying thoſe proceedings to your highneſs, we have done that, which in duty to God, your majeſty, and our country, we ought to have done,

and

and that in your princely and hereditary juſtice, the abuſes committed ſhall be reformed, to the eternal fame of your highneſs, and the unſpeakable contentment of your poor ſubjects of that kingdom.

Some other objections we humbly make againſt the ſaid proceedings, which we have digeſted into theſe brief points following, humbly making petition for ſo much as they depend on matters of law, that your highneſs will be pleaſed to require the judges of this your highneſs's kingdom, to ſignify their opinions concerning the ſame, and that we may have warrants and allowance to entertain council in law upon the whole matter; not for that we expect that your majeſty ſhould proceed according to the extremity of law, but rather according to your natural and benign clemency.

The commiſſion directed by your highneſs for the holding of their preſent parliament doth limit (as we conceive) that the right honourable the lord deputy ſhould cauſe to be ſummoned and aſſembled your lords ſpiritual and temporal, and the knights, citizens, and burgeſſes of cities and boroughs, and others whatſoever of the ſaid kingdom, which have uſed to come to the ſaid parliament, according to the cuſtom there heretofore uſed; ſo as this authority being reſtrained to the ancient uſage, muſt be ſtrictly purſued, and ſo no warrant or ground to aſſemble burgeſſes out of any other but the ancient corporations.

Although

Although we make no doubt but that your majeſty may make as many corporations in every of your kingdoms as your highneſs ſhall think expedient, yet we humbly leave to your conſideration, whether ſuch new created corporations ought by the law to have voice in the parliament, before they have allowance or confirmation by parliament, or whether that privilege or liberty do properly and only belong (beyond all memory) to the ancient boroughs; and whether the making of many of them only by patent, do not abridge the liberties of free parliaments. Moſt of theſe new corporations have their patents and charters of creation after the date of the ſaid commiſſion for holding this parliament, and ſome after the writs of ſummons iſſued; ſo as there being no warrant in the commiſſion to call or aſſemble any borough, but ſuch as were in *eſſe* or being at the date of the ſaid commiſſion, the ſheriffs, whoſe power and authority are derived under the ſaid commiſſion, have no warrant or authority to warn any others; and ſo ſuch new corporations are not to be received in this parliament.

Divers other queſtions ariſing upon the whole matter, we do omit for avoiding tedious-neſs to your majeſty.

Needless tediouſneſs is far unfit to trouble princes with, thereby to withdraw their minds from far more weighty affairs; notwithſtanding, theſe noblemen, knights, citizens, and burgeſſes, agents for the kingdom of Ireland, have been

 moſt

moſt induſtrious, and uſed great diligence in proſecuting of ſuch cauſes (as they do ſay) have been committed to their charge by the reſt of the noblemen and commons of Ireland. If it be ſo, they have deſerved great commendations; for they have not ſpared tediouſneſs in their diſcourſes to beat ſtill upon one ſubject, *viz.* the proceedings of this parliament, by innumerable circumſtances, all tending to induce his majeſty to take diſliking to the lord deputy's proceedings in that behalf.

In theſe laſt advertiſements they further prayed the king to procure the judges of England to ſignify their opinions concerning the ſame, and to have warrants and allowance to entertain council in law, ſuch as they ſhould chuſe. The validity of theſe requeſts conſidered, they were neither denied nor granted; but theſe agents ceaſed not daily either to importune the king, or ſome of the council, ſo that they were never at reſt, as it further appears by this following petition.

To the right honourable the lords of his highneſs's privy council.

The humble petition of Genico lord viſc. Gormanſton, James lord baron of Dunboyne, and others, agents for and on the behalf of other the lords, knights, citizens, and burgeſſes aſſembled to this parliament of Ireland.

MOST humbly making petition, that whereas your ſupplicants are commanded by his

his majeſty and your honours to attend in the council-chamber upon Friday in the afternoon, for reducing to certain heads the differences fallen out in the lower houſe of parliament in Ireland aforeſaid, complained of to his majeſty and your honours, whereby the ſame may be provided to be heard and decided by his highneſs. And foraſmuch as the matters are of great moment, depending upon queſtions in law, which are very like to be precedents in future times for both the kingdoms of England and Ireland, being governed by one law in theſe points, in regard whereof your ſupplicants were humble petitioners to his majeſty to have warrant for council in law to be aſſigned unto them, for the better opening and ſetting forth of the cauſe; unto which his highneſs was moſt graciouſly pleaſed to give good ear; and for that your ſupplicants held it not expedient to trouble his highneſs with the ſigning of warrants in this caſe, it may pleaſe your lordſhips to direct and appoint, that your petitioners may have ſufficient council in this matter, ſuch as they ſhall make choice of, to the end that the ſame, after full hearing and debate, may the more eaſily receive determination by his highneſs.

And your ſupplicants ſhall pray, &c.

THE names of thoſe whom the recuſant lords and agents of Ireland deſired in England of the king and council, to be aſſigned them for council.

 Serjeant

Serjeant Hayes. Serjeant Button. Mr. Damport. Mr. Walters. Mr. Yelverton. Mr. Crew. Mr. Noy. Mr. Finch. Mr. Jenkins. Mr. Petite.

I HAVE not heard of any allowance for theſe men to be aſſigned as counſellors in law to theſe agents of Ireland; but I have ſeen that theſe agents have proſecuted thoſe ſuits themſelves, not only in the ſame nature and forms, as formerly they began concerning parliament grievances, but alſo began to ſet on foot ſuits in another nature, and other terms of civil grievances in civil government, as it will appear in the diſcourſes following.

Agentes Hiberniæ Domino Regi. 27 *Jun.* 1613.

WHEREAS the king's moſt excellent majeſty hath, by ſiniſter and undue courſe of information, been induced to give way to the erection of ſundry corporations within the realm of Ireland, as well in counties where there were no boroughs, as in others well ſtored of them; inaſmuch, as the agents from that kingdom are ready to make proof of the poverty of moſt of thoſe places, and to give his majeſty other good ſatisfaction, why theſe corporations ſhould not be multiplied into ſo great a number, it may pleaſe his majeſty the ſame courſe may be taken for the ſaid counties newly made, which have no ancient boroughs, as was taken for giving

ing of liberty to Wales in ſending knights and burgeſſes to the parliament in England; that is, to give liberty by parliament for one borough in every ſuch county to ſend burgeſſes to the parliament, which, beſides the knights of that ſhire, may ſuffice, conſidering that in England itſelf there be divers ſhires that have but one burgeſs to give voice in parliament; and the habitation of that part of the kingdom of Ireland is not comparable to either Wales or England, and, hardly can one place be now found in every of theſe new counties, fit to be endowed with ſuch liberties.

Whereas alſo divers falſe and undue returns have been made of knights, citizens, and burgeſſes to this parliament in Ireland, for which the penalties due to his majeſty, as well upon the ſheriffs and officers, as upon the parties, by the law of that kingdom, will amount to a great ſum of money; that his highneſs may be pleaſed to direct, that an indifferent courſe may be taken with great care in the examination of the premiſſes, and of divers other abuſes in men of great countenance and place there; and that the penalties may be followed by courſe of law for his highneſs's benefit, and the example of others hereafter in like caſe offending.

Whereas alſo the ſubjects of Ireland do endure great loſſes and grievances, by the colour of tenures, wardſhips, alienations, intruſions, and concealments, yielding very little profit to his majeſty, to have theſe uncertain ſmall profits reduced to a certain revenue for his majeſty;

that his highneſs will be pleaſed, in lieu of theſe and other things incident thereto, to accept by parliament, a yearly ſum by way of compoſition, which will bring a good increaſe to his highneſs's yearly revenues, and give good content to his majeſty's ſubjects.

Whereas alſo, the king's majeſty doth receive a yearly compoſition, in lieu of ceſs, and other country charges, which was made in the Engliſh pale for a certain time only; which compoſition is oftentimes broken by means of the extortion of ſoldiers, and other unneceſſary charges impoſed upon the ſubjects, contrary to that compoſition: that his majeſty would be pleaſed to give ſpecial order for obſerving the ſame, and that it may pleaſe his majeſty, that the ſame, which is now uncertain, may be confirmed by parliament, with ſuch cautions as ſhall be thought fit.

Thus far proceeded the lords, knights, citizens, and burgeſſes of the parliament, who were firſt ſent over into England agents (as they alledged for themſelves and others the lords, knights, citizens, and burgeſſes of the recuſant faction in Ireland) with their petitions, annexed ſchedules, and other their dependent grievances. But now there are other new ſupplies come over, whom his majeſty hath been graciouſly pleaſed to call out of Ireland by ſpecial name, to the end that they might ſhew their general grievances the better, by their own ſpecial relation. Now theſe men had their general and particular inſtructions to join with the former agents in all their

their invectives againſt the lord deputy, as it will more plainly appear by the diſcourſes hereafter following.

THE names of ſuch as are arrived in England; David, lord Barry, viſcount of Buttevant; David, lord Roch, viſcount of Fermoy; Chriſtopher, lord baron of Slane; Chriſtopher, lord baron of Killeen; lord baron of Delvin; Robert, lord baron of Trimleſton; Sir Walter Butler, Sir Daniel O Brien, Sir Chriſtopher Nugent, Sir William Bourke, Sir Thomas Bourke, Sir Patrick Barnwall, Sir John Everard, Andrew Barrett of Corke, Eſq; John Moore of Conaught, Richard Wading of Waterford, James Galway of Limerick, Thomas Luttrel, Patrick Huſſie, M'Donogh, chief of his name.

THESE noblemen, knights, and burgeſſes, recuſants of Ireland, ſhewed themſelves before his majeſty, by whom they were moſt graciouſly received; and the hearing of their cauſes was referred to ſuch convenient times, as his highneſs might have convenient leiſure to attend them. Now theſe, together with the former lords, knights, and burgeſſes, did uſe daily to frequent their ſecret conventicles, and private meetings, to conſult and deviſe how to frame plaintive petitions, and invective articles againſt the lord deputy, as it will more plainly appear, and more manifeſtly, by the petitions and articles exhibited to his majeſty, as they do hereafter follow in their due places.

THE king's moſt excellent majeſty, out of his gracious and princely clemency, at ſundry times of his leiſure, vouchſafed to ſend for ſome of thoſe recuſants, lords, knights, and burgeſſes of the realm of Ireland, to diſcourſe with them concerning their cauſes or complaints, and the original ſecrets of their grievances, ſpecially touching the lord deputy and his government; by which means, ſome of them anſwering by a meer inſtinct of truth, which is ever irreſiſtible, confeſſed that the lord deputy's government was for the moſt part unreproveable, as it doth appear in his majeſty's ſpeech of the 21ſt of April 1614, and the 35th ſection of that Speech. And as it pleaſed his majeſty to proceed from queſtion to queſtion, at laſt he demanded their opinions concerning the pope, whether it were lawful for him to depoſe kings, and to give liberty to ſubjects to raiſe rebellion againſt their lawful princes, and to deprive princes of their lives in ſuch caſes of religion. Some of them anſwered, that they thought he might, or that it was in his power; among whom William Talbot and Thomas Luttrell were noted to be moſt peremptory, and therefore they were committed to priſon; William Talbot was committed cloſe priſoner to the Tower of London, and Thomas Luttrell to the Fleet.

THEN, not long after, Sir Patrick Barnwall was called before the lords of his majeſty's moſt honourable privy council, to anſwer certain letters of his, which were happened into the council's

cil's hands, as it will appear by this that here immediately follows, the original whereof was written with Sir Patrick Barnwall's own hand, and ſigned, &c. (to which he made a ſubmiſſion as followeth.)

ON Thurſday the 22d of July I was called before the lords of his majeſty's moſt honourable privy council, where there were three letters of mine produced, wherein were contained ſome matters offenſive, not fit to have proceeded from a man of as little underſtanding as myſelf, wherein I do acknowledge mine offence, and am moſt heartily ſorry for the ſame, and have beſought their lordſhips to preſent to my moſt gracious ſovereign my moſt humble acknowledgments of that my fault, and ſorrowful repentance for the ſame, and to be interceſſors for me to his ſacred majeſty to remit my ſaid offence; where, upon my humble ſuit, I found their lordſhips out of their honourable diſpoſitions to be ready and willing to vouchſafe me that favour; which we do and muſt acknowledge to be a great and binding obligation upon me. And as for the pope's authority, I have always been, and am fully reſolved, that the pope hath no power to depoſe the king's moſt excellent majeſty, or to take from him the leaſt part of his dominions, kingdoms, and countries; and that that doctrine is moſt prophane, impious, wicked, and deteſtable, that his majeſty, or any other ſovereign prince, if he were excommunicated by the pope, might

might be maſſacred or done away by his ſubjects, or any other; but do firmly hold, that notwithſtanding any excommunication, or any other act, which is or may be pronounced or done by the pope againſt him, his highneſs's ſubjects ſhould be and ought to expend their goods, eſtates, and livelihoods, and to expoſe to all danger and hazard their blood and lives in defence of his royal perſon from violence, his kingdoms and eſtates from invaſion and overrunning, as I proteſt before the majeſty of Almighty God I would do myſelf.

PATRICK BARNWALL.

HERE it may be very well noted, that the lords, knights, and burgeſſes, recuſants of the kingdom of Ireland, when they ſaw thoſe two gentlemen, whom they eſteemed as chief of their faction, namely, Sir William Talbot and Mr. Thomas Luttrell, committed to priſon for their audacity in uttering their opinions concerning the pope; and that alſo that ancient knight, Sir Patrick Barnwall, was ſo ſtrictly examined at the council table, upon certain points and parts of his own letters, written to Mr. Chriſtopher Darcy, and others, as before you have heard, out of which we may very well perceive by theſe diſcourſes, that they began to grow into very fearful and troubled minds, miſtruſting that his majeſty might conceive ſome deep and vehement ſuſpicion againſt them, concerning thoſe cauſes formerly recited. But howſoever they were troubled

troubled in mind, yet they took to themſelves very good courage, and plucking up their ſpirits, ſought for ſpeedy remedy. For having at the ſame inſtant a preſent occaſion to complain to the king by petition of their long attendance in England, and of their great expences and charges there, and how that they had not ſuch monies ſent them out of Ireland, as was promiſed them, to defray their charges, by reaſon of a proclamation publiſhed by the lord deputy, inhibiting ſuch collection of money, as was impoſed upon the inhabitants of Ireland by the jeſuits and ſeminary prieſts.

Now in all haſte a petition was framed to that effect, and in the latter end thereof was inſerted a diſcourſe of their ſolemn proteſtations concerning their opinions of the pope, and of their loyalty, fidelity, and dutiful obedience to his majeſty, in a very ſubmiſſive manner, as here doth follow, according to the original.

To the king's moſt excellent majeſty.

The humble petition of the lords and others of the kingdom of Ireland.

May it pleaſe your highneſs,

YOUR petitioners having ſo long expected your gracious pleaſure and reſolution concerning the general affairs of their complaints, as their means is altogether ſpent, and the ſupply of their wants become hopeleſs, by means of a pro-

a proclamation lately proclaimed in your majeſty's realm of Ireland, ſtraightly inhibiting any collection, or voluntary contribution to be levied or ſent to defray their neceſſary charges towards the attendance of your princely pleaſure, as by the tenor of the ſaid proclamation extant to be ſeen, appeareth; which courſes enforce your petitioners beyond all willingneſs to importune your royal majeſty to vouchſafe to ſpeedy a diſpatch, as the neceſſity of their wants greatly urgeth. And further, to be pleaſed out of your matchleſs clemency, to accept your petitioners unfeigned proteſtation of their bounden fidelity and loyalty to your highneſs, which freely proceedeth from undoubted true hearts, without equivocation or mental reſervation, that neither the pope, nor any other potentate whatſoever, hath authority to put your highneſs from the crown, deprive you of your kingdoms, or to commit ſo horrible an act, as to the authority or licence, to bereave your ſacred majeſty of your life, which we ever held and do hold moſt odious to be thought of or ſpoken: for the defence whereof your petitioners lives, lands, and goods, ſhall be always ready, as becometh true ſubjects, wherein we are aſſured your majeſty's poor ſubject William Talbot, now a cloſe priſoner in the Tower, will join, the confidence of whoſe unfeigned thoughts therein moveth us to proſtrate ourſelves at your majeſty's feet, humbly deſiring a commiſeration of his reſtraint, with a favourable conſtruction of our ſincerity and faithful intents; and your petitioners ſhall inceſſantly

pray

pray for your highneſs's reign over your kingdoms, with increaſe of felicity long to continue.

THERE was not any ſpeedy anſwer made to this petition, by reaſon his majeſty was not then at leiſure. But there remaineth yet to be ſet down another petition, which the recuſant lords exhibited to the king againſt the lord deputy, whereunto were annexed many articles of abuſes and grievances; which petition, together with the articles of abuſes, were ſent over into Ireland, to the lord deputy, who ſpeedily anſwered every ſeveral article, as it will appear in the ſubſequent diſcourſes.

To the king's moſt excellent majeſty.

The humble petition of the lords, knights, and others, of his highneſs's realm of Ireland, now attending his majeſty here, as agents in the behalf of themſelves, and others his highneſs's ſubjects of that kingdom, by whom they are authorized.

MAY it pleaſe your moſt excellent majeſty, according to our bounden duty to your highneſs, and the inſtructions given us, we have preſumed to offer to your majeſty's moſt gracious conſideration, a brief relation of divers great enormities and preſſures, which for ſeveral years paſt, your highneſs's ſubjects of that kingdom, did, and yet do bear, whereof, if your majeſty ſhall make any doubt, we humbly beſeech your highneſs to appoint ſome indifferent commiſſioners

commiſſioners to examine the relations in particular, and finding the ſame to be true (as without doubt they are) that your highneſs will be graciouſly pleaſed to ſettle a courſe, when time and occaſion ſhall ſerve, for remedy of thoſe grievances and diſorders, whereby your poor ſubjects of that kingdom may enjoy ſome part of thoſe bleſſings, which God hath abundantly caſt upon other of your highneſs's dominions, during your majeſty's moſt proſperous reign. And now that your petitioners do attend only your majeſty's reſolution, touching the cauſes of parliament, that your highneſs will be graciouſly pleaſed to diſpatch them with that favour and clemency, which beſt befits ſo mighty a monarch, and is ſo much expected and deſired by your majeſty's ſaid humble ſubjects of that kingdom, as they ſhall continually pray, &c.

Divers diſorders in the kingdom of Ireland, committed and done by martial men.

THE great extortion of ſoldiers, by their continual ranging, and thorough faring in the country, taking up meat, and drink, and lodging, without giving any thing for it, and not content with ſuch proviſions as the poor inhabitants are able to afford; they exact alſo money from them at exceſſive rates, during all which time of the ſoldiers being in the country, the commanders and captains receive the ſoldiers pay, without any eaſe or diſcharge to your majeſty's treaſure.

The

The pretences whereupon they take occaſion to go abroad in this manner commonly, are theſe hereafter mentioned, or the like.

1. TO levy your majeſty's rents and compoſitions, which ought to be taken up by the ſheriffs and collectors appointed for that purpoſe, who may do it without interruption, and do always exact and take allowance from the country for levying the ſame.

2. Under pretence to ſet forward the building of churches, bridges, &c. things, which without ſuch extraordinary courſe, might be effected by the ordinary means in ſuch caſes; and though the country have been put to infinite charges, for theſe buildings of churches, and the pariſhioners for the moſt part, have performed their duties in building their proportions, yet are the churches in no good caſe, the principal parts of them, which ought to be builded upon the charges of the vicars and parſons, remaining for the moſt part ruinous and unrepaired.

3. Upon colour of ſeeking for run-away ſoldiers, for removing of priſoners from one goal, and from one county to another, which in this peaceable time, without danger, might be performed by the ſheriff and his officers.

4. For the benefit and continuance of thoſe which have martial law given them, who do range from one place to another, to the intolerable charge and trouble of the ſubjects; whereas, now in this peaceable time, martial law needeth

needeth not to be exerciſed ; but every offender ſhould be tried by the laws of the realm, whereby juſtice may have its due courſe, and the acceſſaries of felons might be brought to their trials and condemnation, whereof they are diſcharged, when the principal is executed by martial law ; by means whereof, your majeſty loſeth the benefit, which the law would give to your highneſs, by the forfeiture of goods and lands of the principals and acceſſaries. Beſides, it is a thing dangerous to the ſubjects, that this power is given in this quiet time to private men, who upon malice or corruption may take away a man's life without trial.

5. SOLDIERS do alſo paſs from their garriſon into the country, upon colour of convoys-ſervice, and upon divers other pretences, which either are needleſs, or might be otherwiſe by ordinary means accompliſhed. Neither do thoſe ſoldiers take the ſhorteſt way to the place where their occaſions do lie, neither will they travel by the day any reaſonable journey, but do fetch about long circuits, and linger the time of purpoſe to benefit themſelves by extortions, the burdens of which extortions are ſo heavy, as the inhabitants of divers pariſhes and villages are fain to buy their eaſe with ſums of money given to the ſoldiers to paſs them over, and to lie upon others.

6. THE poor ſubjects that feel theſe grievances, have in a manner left off to complain, as well for fear of the ſoldiers, as alſo for that upon their complaints heretofore, they have had little redreſs.

redreſs. Beſides, they are more diſcouraged, ſeeing ſo many captains and commanders of late made counſellors of ſtate; and as for the puniſhment provided by the laws of the realm, for extortion and abuſes committed by ſoldiers, ſheriffs, and others, and for thoſe that be actors therein, the ſubjects have as little hope of relief thereby, for that pardons are commonly granted, and ſometimes the proceedings againſt them, and thoſe that be actors therein, are ſtayed and forborne to be proſecuted, as well through the fear the jurors do conceive of the ſoldiers, as otherwiſe. Neither is that proceeding of Sir John Davis, the attorney general, to be forgotten, having taken, and doth draw from the file the record of an indictment preſented againſt a collector, for ceſſing of ſoldiers unlawfully, as a caſe not meet to be proſecuted.

7. Whereas alſo, there is a compoſition granted within that kingdom, of great ſums of money to your majeſty, in lieu of (among other things) all country charges, as ceſs of ſoldiers, and other ſuch kind of impoſitions, as were formerly exacted of the country for proviſions of the lord deputy's houſe, horſes, and other ſuch like things; which ſums of money to your majeſty are duly paid by the ſubjects, yet this compoſition is not obſerved unto them; for there are divers breaches thereof made, by the ceſſing of ſoldiers, both foot and horſe, as aforeſaid, plotting of hay and oats upon the country, for the proviſion of horſe, for not delivering whereof,

the ſoldiers are placed and ceſſed upon the inhabitants, taking money at exceſſive rates for themſelves and horſes, and for the hay aforeſaid.

8. DIVERS general hoſtings and riſings out of late years ſince the wars ended, ſet forth, although the country was ſo quiet, as there needed no army for paſſing through the ſame; for which general hoſtings, although there were not in the army above 6 or 700 men, yet the Engliſh pale, being but 5 ſhires, was charged with 1500 carriage horſes, with their leaders, or thereabouts, being as great a proportion as was required for the whole army, when the ſame was at the number of 18000, or more; and although a few horſes ſufficed for the carriages of that ſmall army, yet the ſubjects were driven to pay the reſidue of the carriage horſes (which was not uſed) great ſums of money, to their great loſs and impoveriſhment, whereby your highneſs received no benefit.

9. IN the provincial government of Conaught there are taken up for the vice preſident, beeves, mutton, and pork, and other cates, without paying the value of them as they are worth, which is contrary to the compoſition aforeſaid.

10. IN the northern countries, the ſheriffs, governors, marſhals, and others, do take for permitting the inhabitants to uſe their Iriſh and ſhort ploughs, after the rate of 10s. by the year for every plough, which is now come to be an exact revenue of extraordinary great value to thoſe officers, to the great grief and impoveriſhment

riſhment of the people, who have neither the ſkill nor means to uſe other ploughs; and until in thoſe places the people were of more ability, this might be forborne, there being no law againſt that kind of ploughing.

11. In ſome of theſe remote countries, likewiſe, the ſheriffs do exact and take up quarterly upon every pole or take of land, which is 50 or 60 acres, certain money for the diet and lodging of themſelves, their ſervants and officers, beſides the ceſſing of their horſes upon the inhabitants of that country, which is expreſsly forbidden by the laws; and this exacted charge now amounteth to a revenue of value to thoſe officers, a charge to the inhabitants, and no benefit to your highneſs.

Diſorders and abuſes in the civil government.

1. MANY cauſes between party and party, which are properly determinable by the ordinary courſe of law, are decided at the council table, and the courſes of common law, and execution of judgment, ſometimes ſtayed, by warrant from thence, which is contrary to expreſs laws and ſtatutes made in that kingdom. And in deciding of ſuch cauſes at the council table, the ſame being put to voice (as the courſe there is) the martial men (being the greateſt number) having leſſer ſkill, may over-rule the judges in law matters.

2. In trial of criminal cauſes, and men's lives (which the law doth much favour) the jurors are

ordinarily threatened by your majeſty's council at law to be brought into the ſtar chamber, inſomuch, as it is great danger for any innocent man, if he be accuſed upon malice, or upon light ground of ſuſpicion, the jurors being terrified through fear of impriſonment, of loſs of their ears, and of their goods, may condemn him, and the rather, for that it is an opinion publickly delivered and maintained by the lord chief baron in the ſtar chamber, that upon proof or evidence given by witneſſes, the jurors are bound to go according to that, though it were contrary to their preciſe knowledge.

3. At the aſſizes and ſeſſions, likewiſe abroad, into the country, and ſpecially where your highneſs's council at law are employed as judges, the jurors are commonly bound over to appear in the ſtar chamber, where they are not allowed council to ſpeak for them; ſo that moſt of them do rather chuſe to endure the penalty or loſs of iſſues, than to appear on juries, the courſe held with them is ſo ſtrict and ſevere.

4. Divers *cuſtodiams*, injunctions, and ſeizures, are granted from the court of exchequer, to put men out of their houſes and lands, for not ſuing out of their liveries or *ouſter le maines*, from which they are barred, after compounding and paying for the ſame, upon pretence that they do not ſwear the oath of ſupremacy.

5. Divers proceſſes iſſue out of that court for levying great ſums of money for your majeſty, where none is due, and that done by clerks

clerks of that court, to get themſelves fees by bringing men into the court to anſwer, where they muſt pay exceſſively, though your majeſty get nothing.

6. The lords, gentlemen, and freeholders, are generally brought in by proceſs into the exchequer; alſo, for reſpect of homage, for which they are driven to pay more than ever was demanded heretofore, they being forced to pay ſeverally for every ſmall portion they hold, and ſometimes, for the ſeveral parcels of the ſame manor; and yet the charter fees are greater than your majeſty's demands in ſuch caſes; nor can we learn that a true account is made to your majeſty for theſe monies, for reſpect of homage, which the clerks do receive, amounting to great ſums yearly.

7. Many poſſeſſions and inheritances of great antiquity are called in queſtion, upon idle ſleeping records, at the proſecution of ſome private men, for their own private gain, paſſing letters patent thereupon, without any benefit of moment to your majeſty.

8. The incumbrance impoveriſhing the whole kingdom, through the heavy charge ſuſtained by the ſubjects, by reaſon of intruſions, for not having pardons of alienations, liveries, or *ouſter le maines*, the benefit whereof, for the moſt part, is granted to mean men, and to ſome the intruſions of whole counties granted entirely; and many of thoſe intruſions are granted upon very old records, contrary to the

records of later times. And although ſome have been forced to compound for thoſe intruſions, and have paid great ſums of money according to the agreement, yet they have been driven to compound with others a ſecond time; and after all thoſe cuſtodiams granted, and injunctions awarded, to put them out of poſſeſſion of their dwelling houſes for the ſame matter.

9. WARDSHIPS are commonly granted to mean men, and meer ſtrangers to the heirs, that are in your majeſty's ward, whereby the wards are neither well nurtured, bred nor preferred, and their kindred forbidden from any diſpoſition of them.

10. VERY few of the natives of the kingdom are admitted to any judicial place or miniſterial office, how mean ſoever, whereby your majeſty is put to greater charge, than in former times your highneſs's predeceſſors were; and yet, many places, through inſufficiency, ill ſupplied, and the ſubjects there much diſcouraged to follow any courſe of learning to gain their livelihood in their own country, but are driven to ſeek relief among foreign nations, which breeds jealous conceits of their loyalty. Neither can it be without great inconvenience in that kingdom, in that the judges, being unacquainted with the Iriſh language, do not underſtand the party or witneſs that ſpeak no Engliſh, whereby they cannot ſo well judge of the cauſe.

11. MANY men having no freehold, and very little other means, made ſheriffs of counties,

and

and holding the ſame divers years together, contrary to the laws, who for their own private advantage do appoint under them inferior miniſters of little reputation, and ſome of ſmall honeſty, who ſeek by pilling and polling the poor ſubject, to repair their own eſtates, few of them being of their own means able to diſcharge their accounts, and many of them, if they ſhould be called in queſtion for the practices and falſe returns to the parliament, are not able to ſatisfy your majeſty's fine, or the parties account.

12. THE officers and clerks of courts through their greedineſs taking exceſſive fees, far exceeding that was accuſtomed in that kingdom to be taken; inſomuch that they have made men weary of proſecuting their law cauſes, and ſuitors by theſe means greatly impoveriſhed.

13. Many indirect and cautelous practices uſed by ſome eſcheators and their deputies, in the taking and returning of offices; ſometimes contrary to the dominicals or finding of the jurors; ſometimes alſo keeping the offices long in their hands before they be returned, and then returning of them ſecretly, without the knowledge of the party, to the great prejudice of the ſubject.

14. THE fines and amerciaments of jurors, for not appearing in the courts, are granted for a ſmall rent to one Weſton, who dealing with the clerk of the aſſize or ſeſſions, or other clerks that do follow the judges of aſſize, the amercia-

ments and fines for not appearing, are grown far more heavy than in times paſt, when it was in your majeſty's hands; and now there is little or no mitigation of any fine impoſed, as there was wont to be, which doth much grieve the ſubjects; and it is a great prejudice to your highneſs to part with a royalty of ſo great value, for ſo ſmall conſideration.

15. The ſubjects are much vexed by proceſs out of courts, for making *aqua vitæ*, tanning of leather, and other things, though prohibited by ſtatute, yet not much hurtful to the commonwealth at this preſent; which proceſs is procured by men, to whom grants are made to licenſe only whom they pleaſe, whereby they make to themſelves great revenue, with ſmall benefit to your majeſty, and a great diſcouragement to artificers and others, that were better uſe thoſe trades than live idly.

16. Whereas ſome ſtatutes were heretofore made, when the kingdom of Ireland was not thoroughly inhabited or manured, againſt the tranſporting of corn and other commodities out of that kingdom; to diſpenſe with thoſe grants are now made to particular perſons, who make their private gain thereof, giving licence only to ſuch as would compound with them for the ſame: and now that there is a general ſcarcity of coin in that kingdom, and that the country is thoroughly manured, and ſo great ſtore of corn, if now it will pleaſe your majeſty to give way that theſe ſtatute laws be ſuſpended for a time, that

traffick

traffick may be the more free and open, by tranſporting the commodities of the country, and bringing in coin thereunto, it will be a means to raiſe your highneſs's revenues and cuſtoms, and better the eſtate of the ſubjects there.

17. Escheated lands of great value for the benefit of the ſurveyors and great men, ſurveyed at very low rates, whereby your highneſs's revenues are impaired, and divers, who had not one foot of land in that kingdom, within theſe 10 years, are now compared to 3 or 4 of the ancient nobility for revenues.

18. The ſtatute made the 2d of Elizabeth, laying a penalty of 12 d. every Sunday and holiday, for not going to church, is put ſtrictly in execution in many places; but the ſaid money, being a great matter of value over the whole kingdom, is not employed upon the poor, according to the ſtatute, but brought into the hands of the clerks of thoſe courts; but how they diſpoſe it, the pariſhioners or church-wardens know not.

Many other grievances than be here expreſſed, are endured by your highneſs's ſubjects of that poor kingdom; neither is it to be paſſed over in ſilence, that the ancient nobility of the kingdom are, for the moſt part, not only debarred from publick employments, but alſo are vile, pended, and ſet at nought, diſgraced by thoſe that are newly raiſed to honour, place, and means, who might very well content themſelves with the greatneſs of your highneſs's bounty,

and

and not derogate from others, whoſe anceſtors and themſelves have long deſerved, with the price of their blood, thoſe titles and eſtates, which are deſcended to them of antiquity.

To the king's moſt excellent majeſty.

The ſubmiſſive anſwer of your majeſty's deputy of Ireland, in his own name, and the names of your princely and learned council, and of other your highneſs's officers, ſcandalized in a petition preferred by the reverend lords, and others now there, in the behalf of themſelves, and others, your highneſs's ſubjects of this kingdom, by whom (if their own tales be true) they are not authorized.

FIRST, I do humbly pray, that the authority and inſtructions, which they avouch as the ground of their complaints, may be called for and peruſed. Next, that your majeſty will be graciouſly pleaſed (if you ſo think it fit) to appoint indifferent commiſſioners, to examine what by them is ſuggeſted; and their complaints being found true, that the offenders receive condign puniſhment; if their tales prove forged, that they may taſte of the bitter cup which they have prepared for others.

THOSE lords and gentlemen did never complain of thoſe aggrievances here, whereby notice might be taken of the ſoldiers diſorders; but out of love to have the diſcipline of war obſerved, I have lodged the troops of horſe, and companies

panies of foot, in ſeveral garriſons proper, and moſt convenient to anſwer your majeſty's ſervice upon all occaſions, from which no officer or ſoldier may depart without licence of the captain; if he do range the country, taking meat, drink, and money, as is alledged, he is to die for it by our law; and ſo much have I often made known to the juſtices of peace and other officers, and ſubjects, and have withal required them to give no meat, drink, or lodging to ſuch a ſoldier, but to apprehend him or them, and to bring or ſend them to their captains, or to the marſhal of the army, who would puniſh the offence according to the quality of it. And whereas it is ſaid, that the captains make profit of the ſoldiers extortions, I conceive it to be an unjuſt taxation; for I cannot yet think that any of them will permit his ſoldier to oppreſs the meaneſt ſubject, nor that they are ſo baſe as to affect ſuch unjuſt gains; and therefore, I humbly pray, that they be enjoined to deſcend to particulars, that the accuſed may be called to anſwer; as they accuſe all, ſo in the mean time I excuſe none.

1. The ſoldiers are never ſent to collect the king's rents, but when the compoſition is not paid within a convenient time after it is due. They are indeed ſent abroad by warrant, in ſmall parties of 6, 8, or 10, in a barony, to quicken the collection of it, which is never done but upon the requeſt of the treaſurer, or his miniſters, and were it to be brought in by the ordinary

ordinary writ of the exchequer, as the rents are, they would not call for the ſoldiers; but the compoſition being given in lieu of ceſs, it is proper to be levied by the ſoldier, if it be not paid in due time.

2. For the bridges there was never horſe or foot ſent to quicken that work: but for the churches, which I found all ruinous, and many utterly defaced (a ſpectacle grievous to the ſight of all good chriſtians) I gave ſundry directions for the rebuilding and repairing of them; and finding that words prevailed not, I ſent a few horſe to lie upon the inhabitants of the pariſhes, where ſuch defects were, until they gave bonds to perform thoſe works, for which a year's time was always given, and in many places more, and upon giving bonds they were preſently removed. This was done more than three years ſince, and would never have been ſpoken of (the harm was ſo unfit) and their prieſts commending the work, but that they wanted matter wherewith to fill their paper; and if the chancels be not repaired, the fault is in the noblemen and gentlemen, who have impropriations, as well as in the parſons and vicars: but this I will redreſs with expedition.

3. This is a meer ſuggeſtion; for ſoldiers run not now from their colours, as in times paſt, and theſe complainants underſtand not that we are daily importuned to entertain men, not to diſcharge them. But they are now and then ſent indeed to convoy priſoners, being prieſts or other notable

notable malefactors, without which the ſheriffs officers would perhaps ſuffer them to eſcape, or they would be reſcued from them by the country, as experience hath taught us.

4. No provoſt martial hath been ſent abroad with troops of men in execution of his office theſe 6 years paſt (as I take it) except it were in the province of Munſter, to ſcour and rid the ſea-coaſts of pirates. Neither have there been three offenders executed in Leinſter, and the pale by martial law for theſe 6 years (pirates excepted) for which I have reproved the provoſts, knowing it proceeds from their negligence in not executing their office according to the truſt repoſed in them, not from the reformation of vile rogues, rhimers, and wanderers, which are indeed the oppreſſors of the people, and not the ſoldier; but of theſe they complain not, for that they do at the cuſtom of the country; and here it is to be underſtood, that a provoſt martial cannot execute by martial law any offender, who is worth ten pounds in goods, or hath forty ſhillings in freehold; by which it may appear that this complaint is needleſs.

5. I KNOW not whom they accuſe by this article for convoys: we ſend none in this province, but for the guard of priſoners, as aforeſaid; and when they are ſent for that ſervice, they are directed by their warrants to march ten miles a day in the direct way to the place which they are ſent, and are likewiſe in the warrant forbidden to oppreſs and extort upon the people, and

to

to content themſelves with ſuch meat and drink as they can afford, and for the ſame to pay ready money, or to give a ticket. If the ſoldiers have miſdemeaned themſelves to the contrary, upon complaint, the wrong ſhould have been redreſſed.

6. I WISH them to declare to whom they have complained with ſo unprofitable ſucceſs, and what ſoldiers have given them cauſe of fear; if they do not, I humbly pray that this may be taken for a forged ſurmiſe to ſcandalize the commanders, and make the ſoldiers more odious; they ſeem to be offended that ſo many captains and commanders are of late made counſellors of ſtate; to this I muſt anſwer, that none are admitted to that honour, but by your majeſty's letters directing and requiring it; and thoſe you have choſen are ſo juſt and honourable, that none would be more ſevere in puniſhing the ſoldiers offences, if they were complained of and proſecuted; and I think they cannot produce any ſuch to have been pardoned ſince my time: but thoſe are fictions forged to traduce the judgment and juſtice of the ſtate, which they would quite aboliſh, if it lay in their power. The tale told of your majeſty's attorney, is ill grounded; for he did not take the indictment from the file, but it remains of record ſtill; and the truth is, that a wrangling clerk having a ſmall parcel of chargeable land in the country, did labour with the ceſſor or collector, to free it from the compoſition, and through

through fear of ſoldiers, who laying a ſoldier upon him, contrary to expectation, was by the clerk indicted in the king's bench upon an old ſtatute made 200 years paſt, againſt hobbelers, who were at that time common oppreſſors of the country: this he did, notwithſtanding the collector had my warrant to lodge the men in the thorough-fare, towards the north (ſome forces being at that time drawn that way, to attend me in a journey thither, upon your majeſty's ſpecial directions) this is well known to Sir Humphry Winche, who was then chief juſtice of your majeſty's chief bench here.

7. I HAVE now ſerved your majeſty more than 8 years, in the place of your deputy here, and for what I know, no ſubject can charge my officers with the taking up of the value of a hen for my proviſions wrongfully, or contrary to the compoſition eſtabliſhed; if he can, I will hear him, and proving his allegation, I will give him treble ſatisfaction, and puniſh the offender. Neither did I ever ceſſe a horſe of my own upon them, or take up hay or oats for them. Neither hath there been any horſe or foot of the army ceſſed upon them, other than as before hath been alledged, for the thorough-fare, which is not properly deemed a ceſs, it being allowed by the compoſition upon occaſion of ſervice, which thoſe complainants perhaps underſtand not: true it is, that hay being exceeding ſcarce here the laſt winter, there were ſome 50 loads plotted upon the whole county of Dublin, to feed a ſmall troop

troop of horſe, that were lodged in this city for your majeſty's ſervice, whereof, not paſt 24 loads were brought in, for which ready money was paid. This muſt have been done, or the horſe laid upon the country, which would be far more burthenſome to them; for to ſuffer them to ſtarve I might not.

8. THERE have been but two general hoſtings or ridings out, theſe 8 years, notwithſtanding the word (divers) could not be ommitted, the one upon O'Dougharty's revolt; the other ſince, when we had from the country only ſome garrans free for 40 days, towards the eaſing of your majeſty's charge, but far ſhort of the number ſhameleſly mentioned. If this general hoſting be ſo burthenſome to them, I wiſh it would pleaſe your majeſty to take a compoſition in lieu thereof. For when it is called for, it is, I confeſs, a great charge to the country, and ſmally available to your majeſty's ſervice; and if they will not compound, and render a good round rent, then to make it annual, until they do compound. For it is as due from them, as the rents they are to pay, and by anſwering to your hoſting or riſing out the noblemen and principal gentlemen, do enjoy great privileges and immunities.

9. THE lords preſidents and vice preſidents are now all there, to whom I leave it to anſwer this objection, of which none have complained unto me.

10. THERE is nothing taken by theſe officers, for permitting the people to uſe the ſhort ploughs,

ploughs, as is alledged: but the truth is, that upon conſideration had of the barbarous cuſtom of drawing with their beaſts by the rumps, whereby many hundreds are killed and ſpoiled yearly; a proclamation was publiſhed about 7 years ſince, prohibiting that cuſtom, with a penalty, which was a garran out of every plough ſo drawn; and if they drew their ſhort ploughs with traces of ropes or withes, nothing is to be demanded. But this penalty was never levied according to the proclamation; but ſeeing the people had no care to alter that uncivil and diſprofitable cuſtom, thereunto animated, as it ſeems, by the juſtification of the complainants, to keep them ſtill barbarous, I gave order to the ſheriffs and other officers about two years ſince, to take ten ſhillings out of every plough ſo drawn, which in ſome places was done accordingly. The money ſo levied was for the moſt part beſtowed upon the erecting of bridges, building of churches, mending of ways, and the like good works, as to thoſe complainants will be viſible, if they will travel into Ulſter. And if the people amend not the cuſtom, I wiſh the fine may be increaſed, or at leaſt continued, until they mend it; albeit, I am well aſſured it lies heavier upon my own tenants, than all others that complain, which they have done without warrant; for none of them have complained thereof to them; for it ſeems they want matter, when they meddle with what ſo ſmally appertains to them.

11. Sure I am this exaction is not general, and this is the firſt time I heard of it. I will examine it, and take order for the redreſs and puniſhment of the offenders, if there ſhall be found cauſe.

It is not my purpoſe in what I have ſaid to excuſe the ſoldiers faults, but to declare how ready I am to correct and puniſh them, when they are juſtly proved, being grieved only with the irregular proceedings of thoſe lords and gentlemen, who have preſumed to trouble your majeſty with theſe informations before they had firſt complained unto me, and made experience of my juſtice in this thing. That the ſoldiers do now and then lye upon the country three or four nights in a county, when they are called by warrant from their garriſons to attend your majeſty's ſervice abroad, is not denied; but the words (continually ranging and thorough fare) in the front of their complaint might well have been omitted; for I do confidently affirm it, that there was not a troop of horſe or company of foot laid by warrant upon the country within the province of Leinſter and the pale for theſe twelve months laſt paſt, but one hundred foot coming and returning to and from their garriſons about the beginning and end of the parliament; and they by my warrant were not to ſtay upon the country coming and returning above fourteen days; and for the ill meat and worſe lodging, he finds the ſoldier is to pay 5*d.* a day out of his poor means; for which if ready money be not paid,

paid, a ticket is given by the chief officer according to the contents of the warrants, and the ticket being brought to the treaſurer, defalcation is made at the half years end, and the money defalked is paid over by the treaſurer to the ceſſor or collector, who are men of their own choice and nomination; if they pay it not over to the country (as I fear they do not) they deceive the truſt repoſed in them, and upon complaint they ſhould be forced thereunto. It may be (and I believe it) that when the huſbandman hath not to afford him competent meat and drink, he gives the ſoldiers ſometimes 6 *d.* 9 *d.* or 12 *d.* a meal, which I think he doth willingly, for that he complains not of it. Here is to be underſtood, that the ſoldier comes not upon the country but by warrant, which (as I ſay) hath not been paſſed once theſe twelve months, and at no time heretofore but when they have been drawn out for ſervice, which hath been ſeldom ſince my time; and yet no captain can give a warrant but upon ſpecial ſervice requiring expedition; and if a ſoldier go without warrant, he is to die for it: ſo as it appears, that what the complainants have herein ſaid is but recrimination, and by aggravating the treſpaſs of the ſoldier, to make him and all men of war (as much as in them lies) odious to your majeſty, or at leaſt ſeem unprofitable ſervants; but out of long experience I ſpeak it, you are no longer maſter of the kingdom of Ireland than you have ſuch men to ſerve you. But by this the

ingratitude of thoſe complainants doth appear; for they were the men that kept them and their eſtates (if they had not underhand packings with the rebels) ſecure at all times. It is well known, that the ſoldiers are offenſive in the country where they march in all parts of Chriſtendom, and therefore their tale in this may have the more credit; but I ſay they are the leaſt offenſive now in Ireland, and the moſt ſeverely puniſhed (if their crimes be made known and proſecuted) and ſhall ever be, whilſt I am their general, theſe mens ingratitude notwithſtanding, which I humbly pray your majeſty to believe, for whoſe health and happineſs I will ever truly pray, without any vain vocation or mental reſervation whatſoever.

The lord deputy's anſwer to the abuſes in the civil government.

Apoſtiles to the articles preferred by the recuſants of Ireland to his majeſty, touching the diſorders and abuſes pretended to be in the civil government.

1. THERE are indeed ſome petitions preferred at the council table, which are fitter for other courts; but the nature of thoſe petitions doth not appear 'till the ſame be read at your board, and then they are commonly diſmiſſed to the proper courts of juſtice, unleſs the petitioners be very poor, or meer Iriſh, dwelling

ling in remote places, or elſe the petitions be exhibited in the vacation time, when the courts of law be not open, and the neceſſity of the cauſe require preſent remedy, or otherwiſe be recommended from his majeſty, or the lords of the council in England.

The courſe of the common law is very ſeldom ſtayed by order from the table, but when ſuch ſtay is made, it is done either in caſe of great equity, or upon ſome reaſon of ſtate.

Where any queſtion of law doth ariſe at the table, the judges, who are of the privy council, do always give rule in ſuch caſes; neither hath it ever been ſeen that the martial men did deliver their opinions touching points in law, but only in matters of fact; and therefore this imagination, that the martial men may over-rule the judges in law matters is frivolous and idle.

2. The jurors of this kingdom being (for the moſt part) papiſts, are ſo miſled by their prieſts, as they will ſeldom find againſt any of their own religion in criminal cauſes, though the evidence be ever ſo pregnant and direct; and therefore in trials upon ſuch cauſes, after they have brought in their negative verdict, contrary to direct and plain evidence in the affirmative, then and not before, the king's council have ſometimes told them, that they did deſerve to be brought into the ſtar chamber; and divers times upon the motion of the king's council, ſuch juries have been bound over into the ſtar chamber, where they have been cenſured; and many

times alſo in caſes of inquiry for the king, when the inqueſt have brought in a preſentment of *ignoramus*, contrary to expreſs records, and other direct evidence, the king's council have adviſed them to conſider better of their evidence, and find according to the ſame, otherwiſe they ſhould anſwer their contempt in the ſtar chamber, which is the proper court to puniſh jurors, that will not find for the king upon good evidence; wherein they did no more than they ought to do by the duties of their place. And touching the lord chief baron's opinion delivered in the ſtar chamber, we conceive it was thus, that jurors ought always to find according to their evidence; and that it is not ſufficient for them to ſay, they do not believe the witneſſes, or that ſome of them know the contrary (which are their common excuſes in thoſe caſes) unleſs they can ſhew ſome preciſe cauſe of knowledge to the contrary, which might ſatisfy the court of the truth of their verdict.

3. The juſtices of aſſize for the ſpace of two or three years paſt have bound over divers juries to the ſtar chamber for their obſtinate refuſing to preſent notorious recuſants upon the teſtimony of the witneſſes, that they come not to church according to the law, and whom the jurors themſelves knew to be recuſants; all which jurors have been puniſhed in the ſtar chamber by fine and impriſonment; which hath brought forth this effect: yet whereas before by the perſuaſion of the prieſts, there was a general combination throughout

throughout the realm, that no recuſants ſhould be preſented, and they do now preſent recuſants in every county of the kingdom, without any ſcruple or contradiction. It is true that thoſe jurors cenſured in the ſtar chamber had no council allowed them, for they were proceeded againſt *ore tenus*, upon their own confeſſion.

AND whereas they eſpecially complain of the king's warned council for binding over of thoſe jurors, the attorney and ſolicitor have ſeldom gone any circuit for the ſpace of three years laſt paſt, and within that time they never bound over any, ſo that the allegation doth contain more malice than truth.

4. BY the ſtat. of 2 Eliz. c. 1. In this kingdom it is ordained, that every perſon ſuing livery or *ouſter le maynes*, ſhall before his livery or *ouſter le mayne* ſued forth and allowed, take the oath of ſupremacy. This is a poſitive law ſtanding in force at this day, and made by their fathers that now complain; and therefore they being obſtinate recuſants are not permitted to ſue forth their liveries under the great ſeal until they take the oath; and ſo they continue intruders upon the king's poſſeſſion; for which intruſion they are juſtly ſued in the exchequer, and the damage they ſuffer is by their own wilful default and contempt of the law.

5. THERE are no proceſſes iſſued out of the court, but where monies appear to be due to his majeſty by a good ground of the charge thereof upon record; and the ſame courſe

is held in iſſuing and ceaſing of proceſs, as is and hath been uſed in the exchequer of England and in this kingdom of all ancient times, and hath been directed by divers authentick orders and inſtructions ſent hither, as well in the time of the late queen Elizabeth under the great ſeal of England, and under the hands of the then lord treaſurer, and the chief officers of the exchequer there; as alſo in the reigns of king H. 8. and queen Mary, which have been commanded to be executed by your highneſs's inſtructions and letters, and to ſet forth a right courſe of execution of your offices in that court, according to the courſe of England; and if any proceſs do iſſue where no money is due (as it very ſeldom happeneth) it is in the default of the debtor, who upon his payment made doth not purſue his diſcharge according to the ſaid ancient uſage, the courſe of England, and the inſtructions aforeſaid; and to the end that he might not be ignorant thereof, there is an order grounded upon the ſaid inſtructions made by the court, and fair engroſſed in a table, and ſet in a publick place in the court for his direction; and it cannot ſtand with the duty of the officer to omit any thing out of proceſs, being charged upon a good ground, and not appearing to be paid to his majeſty, or otherwiſe diſcharged.

6. This matter concerning the paying of ſeveral fines by one tenant for reſpiting his homage for ſeveral manors, towns, and parcels of land held by him of his majeſty, was, after long

long debate, upon view of the records of the court, finally ordered and decreed by Sir Humphry Winche, kt. late lord chief baron, that ſeveral perſons holding ſeveral parcels of his majeſty, ſhall pay for reſpite of homge for every townſhip 20*d.* ſterling, and for every manor 40*d.* ſterling, and that ſuch as hold ſeveral houſes, acres, or parcels of land, which are not manors nor townſhips ſhall pay for every 120 acres of land 20*d.* ſterling, and no more; and according to that rate and proportion of a greater or leſſer number of acres, and for every houſe without ground 4*d.* ſterling, or if cottages or farm-houſes be in or upon the lands, then to be returned as part of the lands, and no fine to be paid for them ſolely. None pay above thoſe rates, but very many pay under theſe rates. None pay a fine for the reſpite of homage for a parcel of a manor, and alſo for the manor itſelf, unleſs the parcel be ſevered by alienation from the manor, and ſo they be diſtinct parcels or tenants, the one of that parcel, the other of the manor; and therefore it is uſed in the exchequer here; if any make affidavit before the barons, that ſuch a town, hamlet or parcel of land, or parcel of a manor, he paying for the manor, pays nothing for the town, hamlet, or parcel of land, but hath it included in his acquittance as parcel of the manor. The clerks fees for it are now no more than have been ever accuſtomed to be here during man's memory, *viz.* for every particular acquittance, entry of the ſame,

ſame, and making records thereof, 2 *s.* ſterling, *per ann.* which in ſome few particulars is happily above his majeſty's fine, but in all the reſt far under his majeſty's fine: and becauſe the labours of the ſaid buſineſs touching the ſmall fines and great fines are all equal to the treaſurer's remembrancer, and as much pains undergone in the one as the other, therefore his fee is equal for both. Since the 13th of July 1609 unto the 10th of March 1612, the treaſurer's remembrancer hath made a true account of thoſe monies for reſpite of homage received by him, which he paid over to his majeſty's vice treaſurer, *viz.* the 27th of February 1609, 35 *l.* 20 *d.* harps; the 15th day of May, 1610, and the 8th February, 1610, 48 *l.* 9 *s.* 4 *d.* harps; the 25th of June, 1611, 76 *l.* 22 *d.* harps; the 16th of February, 87 *l.* 8 *s.* 4 *d.* harps; the 21ſt of December, 1612, 22 *l.* 11 *d.* harps; and the 20th March, 1612, 79 *l.* 5 *s.* 10 *d.* harps.

7. Much land hath been concealed and unjuſtly detained from the crown by the confuſion and troubles of former times, and by the negligence and corruption of officers, whereunto his majeſty's title hath been diſcovered of late by the view of records, which have been better looked into now than in times paſt, and thereupon ſome leaſes have been granted unto ſuch perſons as the deputy thought fit; and at whoſe charge and ſolicitation his majeſty's title might be proſecuted, without wrong done to any perſon; whereby divers lands have been reduced to the

the crown, which have made no ſmall addition to his majeſty's revenue, wherein his majeſty's officers have done but their duties, and the intruders have been moſt favourably dealt withal for the meſne profits.

8. The king's officers, ſince the beginning of his majeſty's reign, upon view of the records of former times, have found many tenures of the crown *in capite*, and by knights ſervice to have been ſuppreſt by reaſon of falſe inquiſitions returned of latter times, finding the ſame to be held of common perſons, contrary to many fair records of ancient times, without ſhewing any alteration of the former tenures. Hereupon, for reviving of his majeſty's tenures, it hath been thought fit, to grant part of the benefit of the inſtructions to ſuch as would undertake to preſent the ſame for the king, always reſerving a third or fourth part to his majeſty. By this means very many tenures have been revived, and divers ſums of money anſwered to his majeſty, and the intruders have been ſo favourably dealt withal, as never ſubjects have been in the like caſe. And as touching the ſecond compoſitions complained of, themſelves by their negligence have cauſed the ſame; for that they would not ſue forth their liveries after the tenures have been expreſly found by new offices according to the ancient records.

9. His majeſty's wards are granted unto ſuch perſons as the lord deputy doth think fit, who many times are the near friends of the ward, or

elſe

elſe to perſons of good worth and quality: and in every grant there is a clauſe, that the wards ſhall be brought up in the college near Dublin, in Engliſh habits and religion; which is the ill nurture which theſe petitioners complain of, and the only cauſe of their grievance in this point.

10. As many of the natives of this kingdom as do profeſs the law, and are conformable in religion, and will acknowledge his majeſty's ſupremacy, are advanced to judicial places and offices in this kingdom; ſo as there are three judges of the birth of this kingdom, the lord chief juſtice of the common pleas, the ſecond juſtice of the king's bench, and one of the barons of the exchequer; and if the reſt profeſſing the laws would conform themſelves to his majeſty and become capable, they might likewiſe be preferred to judicial places; yet they would expect to receive as great good entertainment from the king, as the Engliſh judges now have, and ſo put the crown to the ſame charge. And whereas they alledge that ſome places are inſufficiently ſupplied; it is moſt certain, that the crown was never ſo ſufficiently ſerved in this kingdom; neither are any natives of this kingdom ſo ſufficient as be the judges ſent out of England, who are likewiſe more indifferent, in regard they have no kindred or alliance in the country; neither do they go beyond the ſeas for want of preferment in a civil courſe here, for as popiſh lawyers are ſuffered to plead and practiſe, and every popiſh gentleman of any abilities is made a juſtice

a juſtice of peace; but their children are tranſported by their popiſh prieſts and brought up in ſeminaries, to the end they may become prieſts or jeſuits, and ſo maintain ſuperſtition and popery, and breed ſedition in this kingdom.

11. THERE is no man made a ſheriff but hath an eſtate in the county wherein he is ſheriff; and if ſuch as are of better eſtate be omitted, it is for their recuſancy. And if at any time complaint hath been made of their extortions, they have been puniſhed according to law. And touching the returns of this parliament, we know not any falſe or undue return made, and upon examination, we do verily think all the returns of proteſtants will fall out to be legal, and without any juſt exception.

12. THE fees of the clerks of the ordinary courts have been twice examined by the judges, by ſpecial direction of the lord deputy, and have been reduced to a far leſſer proportion than they were in the time of queen Elizabeth; and if they do now extort more than they ought, upon complaint made (theſe petitioners do well know) they ſhall have remedy here; and therefore this complaint is altogether needleſs.

13. THIS article might more juſtly have been preferred in former times, than ſince his majeſty came to the crown; for in after times theſe abuſes have been ſo well reformed, as this complaint is cauſeleſs at this time, and is inſerted but only to fill up the number; for the petitioners

oners know, that there are many penal laws to puniſh eſcheators in this caſe, and upon the leaſt complaint againſt them, the parties whom it concerns are righted every day with extraordinary favour.

14. These fines and amerciaments of jurors are indeed granted to Mr. Alderman Weſton for 21 years, rendering 100*l.* rent *per annum*, by his majeſty's ſpecial letters, in recompence of great ſums of money which he claimed to be due unto him from his majeſty; but he now complaineth that he doth not benefit by them; for that thoſe amerciaments and fines are (for the moſt part remitted or reduced to a very low rate by the judges) ſo as the laſt year he did make the king's rent of all he received; and therefore this article is framed againſt Mr. Weſton, the rather (as we conceive) becauſe he is a proteſtant.

15. There is an expreſs law againſt the making of *aqua vitæ*, unleſs it be by licence of the lord deputy, who (as others his predeceſſors have done before him) hath granted ſome licences to ſuch perſons who carry that buſineſs ſo diſcreetly, as hitherto no complaint hath been made here; and therefore we marvel that the firſt complaint of this kind ſhould be made in England at this time. Beſides the making of *aqua vitæ* is reſtrained by that law, for that it cauſeth waſte of corn, breedeth drunkenneſs, and enrageth the minds of the people, and therefore it is hurtful to the common wealth, a trade not

not fit to be ſo generally uſed as they would have it. And for tanning of leather, tho' ſome perſons be licenſed by the lord deputy to keep tann-houſes in corporate-towns or market-towns only, yet no man hath found himſelf ſo grieved as to complain of thoſe licences to the lord deputy here, which they ſhould have done before they had troubled his majeſty with ſo mean a matter.

16. CARE hath been already taken by the lord deputy and council for an act of repeal of that old ſtatute made 12 Eliz. 4. reſtraining tranſportation of corn, when the price exceed 20*d.* the peck, and for the eſtabliſhing a new act more agreeable to the preſent time, which hath been already tranſmitted into England, conſidered of there, and ſent back hither to be propoſed in this parliament. But for ſome of the other prohibited commodities, there was a grant made in the ſecond year of his majeſty's reign unto Sir Edward Blunt, knt. and William Bretten, gent. for 10 years from the date, to tranſport yearly 1200 packs of linen yarn; and the like grant in reverſion thereof for 21 years unto one John Weſt, Eſq; both which grants are yet in being. Alſo the lord deputy in the beginning of his government, being much troubled with complaints of ſeveral conveying away of corn and other prohibited wares, out of ſundry remote harbours and creeks without entry made, or his majeſty's cuſtoms paid, and likewiſe with many important ſuitors for licences to tranſport, thought

thought fit to authorize two well deſerving men by themſelves and their deputies to take a ſpecial care of this buſineſs in all ports and places in this kingdom, for which by letters patent in the fourth year of his majeſty's reign they were allowed to tranſport a certain proportion of corn, and other prohibited commodities yearly for five years after the commencement of their patent, and afterwards during his majeſty's pleaſure, paying all his majeſty's uſual cuſtoms due before this ſtatute of reſtraint, which was 6 *d.* for every barrel of corn; 12 *d.* upon the pound for their merchandize; beſides 50 *l.* yearly rent. Theſe laſt patentees do moſt humbly ſubmit themſelves to his majeſty's moſt gracious pleaſure, only deſiring ſuch proportionable conſideration for ſo much as by warrants of reſtraint in times of ſcarcity, or for his majeſty's ſervice, they have not been permitted to tranſport a great part of the ſaid proportion allowed unto them by the ſaid grant, which they are authorized by their patent to tranſport after the determination of their patent, with a prohibition to all others until their proportions ſhall be tranſported.

17. To this article the ſurveyor general maketh this anſwer. That there is but one ſurveyor general in the kingdom, who hath taken care of the paſſage of his majeſty's lands in general, until they come to the commiſſioners in that caſe authorized, the kingdom being poor, and ſcarce able to afford any ſuch officer a maintenance; inſomuch as his majeſty lately, upon his complaint

plaint there, encreaſed his fee; who being hereunto called ſays, that he is ready to give account of his actions, and deſireth no other than all ſevere examination, trial, and cenſure, if it appear he hath made benefit by ſurveys, other than his ordinary fees, and theſe ſeldom fully anſwered. And ſaith further, that if compariſon be made between ſurveys of England and the ſurveys of Ireland, conſidering the value of the lands, it ſhall appear they are rather higher in Ireland than in England. Beſides, there have no ſurveys of lands of any moment fallen into his hands, other than the Clandeboys, commanded by his majeſty at a ſpecial rate; the county of Leitrim to Teig O Roirke, at or ſuch like, by his majeſty's ſpecial direction, and other than thoſe of the plantation of Ulſter, and the ſmall territories of the county of Wexford. The lands of Ulſter were rated in England far under the rate of the ſhires formerly made here, and are yet dear enough to moſt of the undertakers, as his majeſty ſhall ſhortly hear, and ſo of the lands of Wexford. There is now above 400*l.* Iriſh rated upon thoſe lands, whereas by a late letter (by unjuſt information obtained) there on the behalf of the natives of thoſe parts, they ſhould not in all have anſwered 200*l.* ſterling. Touching ſmall concealments that ſometimes accrue, they are, for the moſt part, paſt for the preſent poſſeſſors, natives, whereunto his majeſty hath many ways ſhewed his apprehenſion; and therefore his majeſty, having no title noto-

riouſly declared, that they are eaſier rated, which is every day avouched, and not done in ſecret. And the benefit of thoſe kind of lands have for the moſt part run to the nobility, and others, of this kingdom, as the earl of Kildare, the earl of Thomond, the lord of Delvin, the lord Bourke, and others, by ſpecial letters of his majeſty; and ſome other of merit and place here and there, for whom his majeſty writeth, as Sir Henry Brownkard, Sir Oliver Lambert, Sir James Tullerton, Sir John Wakeman, Sir George Thornton, and ſome others, by his majeſty's ſpecial letters; no other great men here having benefit by any like grants of his majeſty's lands, ſave what they have as undertakers in Ulſter and Munſter.

18. THE ſtatute of recuſants hath of late been put in execution in the county of Dublin more ſtrictly than in any other county, in regard the eyes of all the kingdom are upon it, and attend what courſe the inhabitants of this county will take, to the end they may follow the ſame. Howbeit, there hath not been levied upon the recuſants of this county within theſe 12 months laſt paſt above 14 *l.* or 15 *l.* or thereabouts; by reaſon that moſt of them that were preſented, did chuſe rather to come to church, than to pay the penalty of 12 *d.* a Sunday; upon which conformity all arrears were remitted unto them; which courſe, if it be continued in the county, as it is begun, and be proſecuted in like manner in other counties, will bring the moſt part

of

of the kingdom to church, except ſome few of great eſtate of living, who are more obſtinate than the reſt. And touching the monies levied in the county of Dublin, it is indeed left in the hands of the clerk of the crown, by a ſpecial order from the lord deputy and council, to be employed in repairing of churches and bridges, and like charitable uſes; becauſe the poor of the pariſhes, who are not yet indicted, are not fit to receive the ſame, being recuſants, and ought to pay the like penalty. But there is not any money levied in any other county that we know of; and therefore there are no ſuch great ſums of money received, as the ſaid petitioners do ſuggeſt. If the reſt of the grievances were of any moment or probable, it is not to be thought they would have failed to expreſs them; for what they have mentioned in their other articles, comes from them like ſtreet-news ſpread about London, where one ſpeaks after another without a certain author. If the ancient nobility fail of employment anſwerable to their expectations, the king's majeſty and the council can beſt give them the reaſons of it: here they are all juſtices of the peace, which is the greateſt employment we can give them in the commonwealth, and this is alſo done them in favour; for without taking the oath of ſupremacy, they are not capable of it by law. Their lordſhips have their due reſpects given them by us all; but we cannot value thoſe that complain, as they value themſelves, capable to govern and ſway the

whole kingdom, unleſs your majeſty do ſo appoint it; and therefore we give them their due hononrs at all times, and at no time vilipend them, as they term it. Sure we are, that their complaints are vilely penned to traduce the ground and honeſty of ſuch as his majeſty hath appointed chief miniſters under him here. Whom they mean by thoſe newly raiſed honours, I cannot conceive, unleſs it be the lord deputy; for his majeſty hath given the honour of baron to no other perſon here. And being ſo meant, I may in my honeſt defence ſay, and that without vain boaſting, or the thought of an ambitious man, I hope, that as I acknowledge to have received my honour out of meer grace and favour from my maſter; ſo, if deſert might challenge it, I have ſpent more days, and loſt more blood in honourable ſervice done to the crown, than they that framed theſe articles, or any other their anceſtors, from whom their honours are deſcended.

In the ſummer of this year, captain Beverly Newcomen, being at ſea in a pinnace of his own, but ſet forth at the king's charges, chanced to meet certain pirates upon the coaſt of Ireland, about a place called Broad-Haven, who had lately ſpoiled a bark of Barnſtable, and this captain took them, and brought them up to Dublin. The chief of the pirates were Robert Jackſon, John King, and William O Kelly. Theſe three were arraigned before Sir Adam Loftus the elder, who

who was judge of the admiralty, and being condemned to die, were executed on the 29th of July 1613. Likewiſe the ſame ſummer, William King and William Bedford of the Town of Wexford, with other their conſorts, went to ſea in action of piracy, and in 24 days took the ſpoil of 15 ſhips, barks, and boats, for which they were apprehended, arraigned, and judged to die, by the ſame judge Sir Adam Loftus, and were executed in the ſame town of Wexford, upon the 19th day of Auguſt in the year *ut ſupra.*

These precedent and ſubſequent diſcourſes, do give us good occaſion to ſay, that the lords, knights, citizens, and burgeſſes, recuſants of Ireland, rejoiced not a little to hear, that it pleaſed the king's moſt excellent majeſty, according to their often and humble requeſts, to elect and chooſe certain commiſſioners, who ſhould go over to Ireland, there to examine the original cauſes of their complaints and grievances; in which joy and jollity, as though all things ſhould have been pack-on-the-hoop on their ſides, they deviſed a letter to ſend over into Ireland to the reſt of their faction, recuſants there, the copy of which doth here immediately follow *verbatim*, according to the original.

A letter from the recuſant lords in England, and other the agents of Ireland, to the reſt in Ireland, brought over by the lord Killeene and Sir Chriſtopher Plunket, thus directed:

To the right honourable, and our worthy loving friends, the lords, knights, citizens, and burgeſſes, who employed us to the king's moſt moſt excellent majeſty. Ireland.

AFTER our very hearty commendations. In your general employments, touching the differences ariſing in parliament, and the grievances of that country, we could not ſince our arrival in England, give that full contentment to your deſires, which the opportunity of theſe bearers, and the neceſſity of the cauſe doth offer at this preſent time; by means whereof we are invited to make ſome brief relation of our proceedings. It is not unknown, we hope, to moſt of you, how graciouſly his majeſty received us in the beginning, and for our better encouragement at ſeveral times vouchſafed us his royal preſence, in preſenting our expoſtulations to his princely audience, and was benignly pleaſed to deliver, that our humble appeal to his ſacred perſon, was reputed ſatisfaction ſufficient to expiate the offence that might be enforced againſt us, and that his mercy ſhould qualify the rigour of his juſtice; and to every particular his highneſs interpoſed his own diſcourſe with the weight of judgment and indifferency, as befitted the majeſty of ſo mighty a prince, who in all his rare endowments doth make pregnant demonſtration of the greateſt excellency that ever was ſeen in any king; and for a ſummary report

port of his eminent virtues he is beyond the breeding of princes.

The matters then debated before his majeſty, were the paſſages of the parliament, which were fully conceived, and judiciouſly digeſted by his highneſs; and thereby perceiving how attentive his majeſty was to the grievances of that his kingdom, we have reduced (according to your ſeveral authorities and inſtructions) ſome preſſures and enormities there, to the method of a ſmall book, wherein we humbly prayed that ſome propoſitions might be referred to commiſſioners to be appointed by his majeſty; in proſecution whereof, and for other reaſons, beſt known to his majeſty, and to his moſt honourable council, certain worthy ſelected gentlemen, of great truſt, integrity, and wiſdom are tranſmitted thither, to examine all errors and grievances, not only in parliament, and contained in our brief book exhibited to his majeſty, but alſo any other preſſure, extortion, or miſgovernment whatſoever; ſo willing is his majeſty to underſtand the truth, and ſo graciouſly inclined to the reformation of any inconveniencies, wherein, noble lords and worthy gentlemen, we do earneſtly exhort and deſire you ſeriouſly to conſider of the preſent ſtate of that poor country, and to proceed faithfully and diligently to the examinations before theſe great commiſſioners, without aggravation or diſtemper; for by ſetting forth the matter nakedly, they will eaſily diſcern the branches, and obſerve the ſequel of it accordingly.

ingly. And in regard your only drift is to advance his majeſty's favourable ſervice, and the general good of the republick, without any private ends or reſpects, we do confidently affirm by the authority and warrant of the lords of his majeſty's moſt honourable privy council, that the manifeſt ſubject there, in proving of any particular grievance, or irregularity, ought not to fear or be daunted by any perſonage of what degree or rank ſoever in that kingdom; and that point was more at large intimated by his majeſty's moſt gracious proclamation not long ſince publiſhed there in print: and therefore be not retrograde in opening your maladies to ſo ſovereign a phyſician; for if your wounds do feſter, by concealing them longer, and not making uſe of this preſent remedy, we ſuppoſe they will hardly be cured after; and our duty and love to God, and our prince, and our natural country, induce us to affirm, that if you neglect our advice, you will be acceſſaries to your own misfortunes, if any do befal you by your own omiſſions. We do not encourage you as lookers on, but ſenſible actors intereſted in the cauſe, and as we have not doubted (at your ſpecial inſtance) to move them, ſo we hope you will not fail of your integrity in proving them, according to your true knowledge, with your diſcretion, which is proper for the time and place wherein you live; and you ſhall find good correſpondence of us, according to the validity of your proofs. Notwithſtanding all theſe good admonitions,

nitions, yet fearing you may be diſcouraged by the reſtraint of Mr. Talbot to the Tower, or Mr. Luttrel to the Fleet, we aſſure you, that the cauſe of their committal is occaſioned upon collateral matters, not depending of our employment. And for our abode in London, during ſome part of his majeſty's time in his progreſs, we conceive was to good purpoſe; for we lived in the view of the moſt honourable lord the archbiſhop of Canterbury, whoſe grace hath extended ſpecial favour towards us, and admitted us to conference touching any of our grievances, and of whom you may expect all lawful favour in courſe of juſtice; for he is upright in all his actions, and an honourable friend to all honeſt, plain, well meaning perſons, ſuch, I hope, as he found us: and for our reſidence here now, we underſtand it to be for this purpoſe, that ſome of us ſhould be continually attending his majeſty's further pleaſure concerning the proceedings of that kingdom, whereby we may be ready at hand, either to give or receive ſatisfaction, as to his royal diſpoſition ſhall ſeem moſt agreeable with the model of his own government.

The noblemen and gentlemen by his majeſty's nomination and commandment ſent thither to attend the commiſſioners with their proof, are the lords of Killeene and Dunboyne, Sir Chriſtopher Plunket, Edward Fitz-Harris, Andrew Barrett, and Paul Sherlock, whom we pray you once again to aid and aſſiſt with all the furtherance

therance you can, and to make your daily recourſe to them for your better inſtructions; for if you fail of accompliſhing the ſubſtance of our information, we may rightly be termed clamorous, without grounded cauſe; and do not imagine to hold yourſelves excuſed by the vain opinion of fear and diſgrace; for theſe cauſes are removed, and therefore produce good effects anſwerable to a conſtant reſolution, in ſubſtance and circumſtance conducible to the maintenance of our affections. We are hopeful of your diſcretion, and ſo intimating unto you, that as we have a moſt prudent and merciful king, ſo he is juſt withal, and doth expect a due account of our allegations upon the return of his highneſs's commiſſioners; and recommending theſe buſineſſes to your faithful endeavours we reſt,

Your honours, in all faithful aſſurance,

Gormanſton, David de Rupa, viſcount Fermoy, James Gough, Patt Huſſey.

London, this 14th of September, 1613.

The king's moſt excellent majeſty having now taken full notice of all thoſe grievous complaints made by thoſe lords recuſants, and their adherents, againſt his highneſs's deputy general there; and likewiſe had conſidered, that the ſaid deputy himſelf, in his ſubmiſſive petition, did moſt humbly beſeech his highneſs to appoint commiſſioners for the hearing and examination of thoſe controverſies then in queſtion, as the recuſants

recuſants formerly had done; wherefore his majeſty, being graciouſly pleaſed to give ſatisfaction to all parties, choſe four worthy and very learned gentlemen for commiſſioners to go over into Ireland, *viz.*

Sir Humphrey Winche, knt. who had ſometime been lord juſtice of the king's bench in Ireland.

Sir Charles Cornwallis, knt. holden to be a very wiſe and learned gentleman.

Sir Roger Wilbraham, knt. who had been the queen's ſolicitor in Ireland.

Thomas Calvert, eſq; one of the clerks of the council in England.

THESE four were ſent over into Ireland to examine the ſtate-government of the kingdom, and the cauſes of the controverſies in the parliament houſe, with whom the lord deputy himſelf was joined in the patent, as chief commiſſioner. Now theſe four arrived at Dublin in Ireland, upon the 25th of September, 1613, and ſtaid there until the lord deputy returned out of the north, which was not long after their landing. And at his lordſhip's coming to Dublin he gave them very honourable entertainment, and from thenceforth they ſat daily to examine the controverſies, according to the tenor of their commiſſions, where I will leave them for a while, and return to ſpeak of the mayor of the city of Dublin for the year to come, as commonly I have accuſtomed to do in all the fore paſſed diſcourſes.

Anno

Anno 1613, Sept. 30, anno Regis 11.
Richard Foſter, Mayor,
Tadie Duff, William Taylor, ſheriffs.

THERE was one Edward O Molowine, and alderman for the city, firſt choſen to be mayor: but becauſe he would not go to church, nor take the oath of ſupremacy, this man, Richard Forſter, although he were but young, and but lately called to the eſtate of an alderman, yet upon ſome good conſideration, he was permitted to take that worſhipful office upon him, as to be mayor of the city, in the place of him that formerly had been choſen. And when the accuſtomed day was come, that he ſhould be preſented at the exchequer bar before the lord chief baron, and court of the exchequer, and to be eſtabliſhed in that worſhipful place, Richard Bolton, eſq; recorder of that city, preſented this new mayor, made a very learned oration, wherein he recited the antiquity of the city, and the large charters and liberties of the ſame, given and granted unto them in ancient times by the princely favours of the kings of England; but chiefly he commended the loyalty and the obedience of the citizens, and called the city of Dublin, a Virgin City, *viz.* a City Immaculate, and without ſpot of treaſon, treachery, or diſloyal conſpiracy, and that they ever ſhut their gates againſt any rebels whatſoever. Alſo he recommended this young mayor with very graceful ſpeeches, inferring, that although he were

were but young in years, yet no doubt he might prove wiſe in government, with many other the like good ſpeeches in his commendation. Sir William Methold, the lord chief baron, gave authentick heed, and great allowance to this oration; but in his anſwer to that part thereof concerning the Virginity of the city, he ſaid, that if the city had lately ſhewed that conformity in the Tholſel, that it had done in former times at the gates, that it might have been better termed a Virgin City, and that that fact had much blemiſhed her Virginity; but he ſaid, becauſe the principal author of that outrage had received his condign puniſhment, he did forbear any further to tax either the citizens or the city for that offence. Alſo he gave good allowance to the graceful ſpeeches of the recorder concerning the young mayor there preſent, not doubting but he would ſufficiently diſcharge the duty of his place, to his great worſhip and credit; but he ſaid further, that this mayor had leaped a ſalmon leap, for that he ſaw many grave and grey-headed men there ſtanding about him, whoſe turn was to have been mayors before him, but, he ſaid, the cauſe of their not being mayors, in plain terms was, becauſe they would not take the oath of ſuprĕmacy, which he was ſorry for. And ſo after a brief exhortation given unto him for the well and faithful exerciſing of his office, he took his oath, kneeling on his knees, in the court of exchequer; and then the lord chief baron delivered to him the ſword, and he being thus

thus eſtabliſhed mayor of the city of Dublin, returned home with ſuch triumph as was fitting for his place and calling.

This diſcourſe of the mayor being ended, I muſt return to the lord deputy and the commiſſioners, who had ſat together many days about the controverſies and grievances complained of in England by the recuſants of Ireland: yet nothing was proved or brought to any perfection of proofs, as more at large you ſhall read in his ſpeech hereafter following. Therefore we may think that all their complaints were frivolous, and of no effect; notwithſtanding that not only thoſe recuſants that were in Ireland, but alſo ſome of thoſe that were in England, came into Ireland, as the viſcount Gormanſton, the lord of Killeen, Sir Chriſtopher Plunket, Sir James Gough, Patrick Huſſey, and Thomas Luttrell, with others, who played their parts to maintain their aſſertions, and brought in many of their tenants and others to be witneſſes in their behalf, whoſe witneſſes were found to be ſo ſlender, and of ſo little effect, that they availed them nothing at all: ſo when the commiſſioners ſaw the weakneſs and imbecillity of their proofs, they brake up and ſat no longer in commiſſion, but took their leave of the lord deputy, and ſo departed into England, taking ſhipping at Dublin the 4th of November, and repaired unto his majeſty with all expedition, and delivered unto his highneſs the whole circumſtances of all their proceedings, which the king's majeſty received with all wil-

lingneſs,

lingneſs, and at his highneſs's leiſure did peruſe them.

Among all thoſe that came out of England, Sir James Gough, knt. who dwelleth in the province of Munſter, was one, who made ſuch frivolous conſtructions of the king's majeſty's ſpeeches concerning liberty of conſcience, that all the people of Munſter believed that the king had already granted that liberty, whereof they greatly rejoiced; which thing the lord deputy underſtood, and knowing that there was not any ſuch liberty of conſcience granted, and fearing leſt ſome inconvenience might grow thereof, or that ſome ſeditious factions might ariſe, he preſently ſent for Sir James Gough, and examined him concerning that matter, who confeſſed it to be true, and therefore he was preſently committed priſoner to the Caſtle of Dublin; but after a while confeſſing his error, and making his humble ſubmiſſion upon his knees in the council chamber, before the lord deputy and council, he was releaſed and ſet at liberty. The copy of his ſubmiſſion, as it ſtandeth recorded in the council-book at Dublin, doth here immediately follow.

AT my being lately in England, with ſome of the lords and other gentlemen of this kingdom, appointed to be ſent thither about the parliament affairs, as it is well known, it pleaſed the king's majeſty to ſay and declare, that our parting from the parliament houſe was a high diſobedience, and

and in ſuch a degree, as wanted nothing of an open rebellion, but arms offenſive and defenſive. But by our humble appeal and ſubmiſſion to his royal perſon, we have found the effects of his majeſty's clemency and mercy. And ſpeaking likewiſe of religion, his majeſty ſaid, that he wiſhed that the true religion, which he did profeſs, were generally eſtabliſhed within this kingdom, and that the exerciſes of religion, which we uſe, which he ſaid to be no religion, but a meer ſuperſtition, might be left off and aboliſhed; yet, ſaid his majeſty, I will not extort or force any man's conſcience. His majeſty ſaid further, that he would have all his ſubjects of Ireland to know and acknowledge, that it was not lawful, upon the pope's excommunication, or other declaration of the church of Rome, to offer violence to his perſon, or by rebellion, or practice to deprive him of his crown, or any part of his dominions or kingdoms; and did further expect, that his ſubjects of Ireland ſhould not receive, harbour, or relieve, any prieſts, ſeminaries, or jeſuits, that would maintain or allow of that doctrine; but that they ſhould rather apprehend all ſuch, and bring them to juſtice, as diſturbers of the peace and welfare of the realm.

His majeſty further declared, that it was expreſsly againſt his will and pleaſure, that his ſubjects here ſhould breed their youth in Doway, or any other ſchools or ſeminaries beyond the ſeas; all which his majeſty willed us to declare further

further to our friends and acquaintance, at our return home again; and ſaid laſtly, that he would liſten to what effects his admonition would produce among us.

Now, upon my repair into this kingdom, I imparted thus much of his majeſty's ſpeech to the mayor, and many other people at Youghall, and in other places upon my way to Dublin; and upon my coming to this city of Dublin, I made a repetition of the ſame to the lord deputy, and ſome of the council, inſiſting more upon this, that his majeſty would not extort or force any man's conſcience, and omitting that other part of the laſt ſpeech and charge, which I do confeſs he gave us all at Royſton, to wit, that although his highneſs had out of his clemency at that time dealt graciouſly with us, by reaſon of our ſubmiſſive appealing unto his majeſty; yet would not he have us to be ſo emboldened out of that example, as either for every light occaſion hereafter to appeal from this ſtate to his majeſty, nor yet to ſwerve in any point of their dutiful obedience to his deputy and ſtate here; with this further reaſon of it, that he would never think they did truly honour him, if they did not bear that reſpect and reverence, which is due unto his miniſters alſo.

Being again now demanded by the lord deputy, whether I did gather or conceive out of any of his majeſty's words, that it was his meaning to have every man left to the free exerciſe of his religion, and conſequently to admit a to-

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leration, I do think it my duty thus to explain myſelf. Firſt, I am aſſured, that his majeſty did not or doth not conceive the execution of the laws eſtabliſhed, to be the extorting or forcing of men's conſciences, but that it is his majeſty's pleaſure, to have the laws executed in that behalf every where, and by every degree; but that his ſubjects ſhould be compelled by violence, or other unlawful means, to reſort to the proteſtant churches, I think it not his pleaſure, in that they ſhould be compelled by oppreſſions and undue inflictions of puniſhment, to acknowledge the uſe of the ſacrament, contrary to their conſciences, or vulgar conceit of it; and if any hath made other conſtructions or expoſitions of my words, he is to blame, and hath therein wreſted his majeſty's diſcourſe and words to a contrary ſenſe, and done me wrong. I do further declare, that I am ſorry for my offence againſt his majeſty, in omitting his majeſty's words, of putting of his laws in execution, and in ſilencing the declaration made by his highneſs, of the reſpect and obedience which he would have to be given to his deputy and ſtate here, and for any other offence given by me to his majeſty, or to the lord deputy and ſtate here; and I do humbly pray the remittal thereof, and my enlargement. And this I freely and voluntarily declare, and deſire to be ſo underſtood by all men. Witneſs my hand the laſt of January 1613.

James Goughe.

The

The king's majeſty having now peruſed, and well conſidered the anſwers, certificates, and proceedings of the commiſſioners which he had ſent into Ireland, and finding that his deputy there was not to be touched with any imputation concerning theſe complaints of grievances, which theſe recuſants of Ireland had exhibited againſt him, his majeſty was moſt graciouſly pleaſed as well to anſwer the general expectation, as to make known unto them his own good opinion of the lord deputy, and his courſes in government, to ſend forth a proclamation, which here doth follow, in theſe words:

By the King.

THE complaints lately exhibited unto us, by certain noblemen, and others of our kingdom of Ireland, ſuggeſting diſorders and abuſes, as well in the proceedings of the late begun parliament, as in the martial and civil government of that realm, we did not only receive with extraordinary grace and favour (as is well known) but alſo vouchſafed in our own perſon to debate the grievances with the ſaid complainants at ſeveral times; and afterwards, for our clearer confirmation and ſatisfaction, to ſend over certain ſelect commiſſioners for examination thereof; of which our gracious proceedings we expecting no other fruits than an humble acknowledgment of our princely favour, and in the future a dutiful reſpect and obedi-

ence to our ſtate and government, do find now, directly contrary to our expectations, that this our clemency and goodneſs hath wrought ſuch animoſity in ſome of the complainants, as inſtead of obedience and duty they requite us with nothing but with a continual importunity, and exaggeration of new complaints againſt our ſtate, and particularly againſt the perſon of our deputy, whom (as we well perceive) they labour by all means poſſible to caſt into our disfavour; notwithſtanding our ſundry admonitions and ſtrict commandments to every of them, when they were here before us, to behave themſelves with all dutiful reſpect unto the ſaid deputy, as our repreſentative perſon in that place; whereof, if they had been as mindful as became them, or as ſome of them were of other ſpeeches of ours, ſtrained and abuſed to their own purpoſes, we ſhould not have cauſe now to lay theſe faults to their charge; and therefore, although the time ſerveth not as yet, in reſpect of ſome circumſtances and accidents, belonging both to juſtice and majeſty (in a matter that we have vouchſafed to hear in perſon) to declare and pronounce our final ſentence and order touching the cauſes of Ireland in every particular, yet having taken due conſideration of the report and certificate made unto us by our late commiſſioners, whom we find to have proceeded with a great deal of judgment, integrity, and diligence; we have thought fit to hold no man's conceipt in ſuſpenſe, touching the princely judgment and conſtruction

conſtruction we make of the doings and proceedings of our deputy there, but to declare and publiſh, that we find the ſame to have been full of reſpect to our honour, zeal to juſtice, and ſufficiency in the execution of the great charge committed unto him; wherein, as we do not clear all inferior miniſters, but leave them to be corrected and puniſhed according to their demerits, ſo we thought it agreeable to truth and juſtice to right him, who hath ſo well-deſerved in his particular; and therefore, if any man ſhall wreſt the great care and clemency which we have uſed in hearing the complaints of divers of our ſubjects in that kingdom, to induce a ſcandal, or to attempt upon the perſon or government of our ſaid deputy, we would have them well know, that we ſhall take it to ourſelves, and puniſh it ſeverely, as againſt the ſtirrers of ſedition, and the contemners of both our grace and authority. Given at our palace of Weſtminſter the 7th day of February, in the 11th year of our reign of Great Britain, France, and Ireland.

With this proclamation alſo came the king's moſt favourable letters to call the lord deputy over into England, to the preſence of his moſt royal majeſty; and alſo a commiſſion to thoſe that ſhould be lords juſtices in his abſence, to govern the kingdom.

The copy of the king's letter, for the lord deputy's coming over into England.

To our right-truſty, and right well-beloved Arthur, lord Chicheſter, our deputy general of our realm of Ireland.

JAMES, Rex.

RIGHT-truſty, and right well-beloved, we greet you well. As we have heretofore, throughout the whole courſe of your government, found juſt cauſe to conceive well of your integrity and ſufficiency in managing that high place of truſt and authority committed unto you in that kingdom, ſo we do acknowledge hereby, that we have received full ſatisfaction by the report of our late commiſſioners, and otherwiſe, that theſe aſperſions, which by cauſeleſs complaints were endeavoured to be caſt upon you here, proceeded rather from the device and practice of ſome ill-affected perſons, than from any true ſenſe of publick grief, or any juſt cauſe given by you in your government there, wherewith, for your better comfort and encouragement we do let you know, we are highly pleaſed (as our proclamation now ſent to be publiſhed throughout that our realm, more at large expreſſeth) and in regard the time appointed for the ſitting of our parliament there, draweth near, wherein matters of great conſequence are

to

to be handled, and that we have for ſome reaſons commanded the preſent appearance of divers members of both houſes before us, we do think it fit, upon this occaſion, to expreſs the favour we bear you, and the good opinion we have of you, by authorizing you forthwith to repair to our preſence, that we and our council may adviſe at large with you, and receive information of you, touching the preſent eſtate of our affairs of that kingdom. And becauſe it is expedient, that the government there, during your abſence, ſhould be ſupplied by ſome meet perſons, to manage the affairs of that ſtate, we do hereby enable and authorize you (whom in our princely pleaſure we do ſtill continue our deputy general, without any revocation or diminution of your authority) to aſſign and appoint by commiſſion under our great ſeal, in ſuch ſort, as for the furtherance of our ſervice there, you, with the advice of our council there, ſhall think fit, our truſty and right well-beloved, the moſt reverend father in God, Thomas, archbiſhop of Dublin, and our truſty and well-beloved Sir Richard Wingfield, knight, our marſhal of our army there, as juſtices, to take upon them jointly that government, and to do all things according to the tenor of the ſaid commiſſion, with ſuch inſtructions as you ſhall leave with them, ſigned under your hand, as your deputy of the ſaid realm. The ſaid authority ſo committed by you to them, to continue only during your abſence, or until we ſhall ſignify

our further pleaſure to the contrary. And albeit we have thus ſignified our pleaſure unto you, for your repair hither, and diſpoſing of the government in your abſence; yet if you ſhall find any indiſpoſition in your body to come hither, and return in ſo ſhort a ſpace, as the time appointed for the holding of our parliament, or that you ſhall know any reaſon of ſtate, which you in your judgment ſhall hold fit to detain you there, for the advancement of our ſervice; or if otherwiſe you ſhall conceive, that your repair hither at this time, will in common conſtruction be interpreted to your diſgrace, contrary to our princely meaning, who intend the ſame highly for your grace and honour, then in ſuch caſe, we do not ſo ſtrictly enjoin you to the performance thereof, but that we do leave it freely to your own choice to come or ſtay, as you ſhall think fitteſt for our ſervice. And theſe letters ſhall be unto you, and all others, whom it may concern, ſufficient warrant in that behalf. Given under our ſignet, at our palace at Weſtminſter, the 7th day of February, in the 11th year of our reign of England, France, and Ireland, and of Scotland the 47th.

The lords juſtices commiſſion thereupon.

JAMES, by the grace of God, &c. To our truſty and right well-beloved, the moſt reverend father in God, Thomas, archbiſhop of Dublin, our chancellor of our ſaid realm of Ireland,

land, and to our truſty and well-beloved Sir Richard Wingfield, knight, our marſhal of our army in our ſaid realm, greeting. Whereas by our letters, ſigned with our own hands, and ſealed with our privy ſeal, bearing date the 7th day of February laſt paſt, we have ſignified our princely pleaſure, that our right truſty and right well-beloved, Arthur, lord Chicheſter, our deputy general of our ſaid realm of Ireland, ſhould forthwith repair unto our preſence in the realm of England, to the end that we and our council of our ſaid realm of England, may adviſe at large with him our ſaid deputy general, and receive information from him touching the preſent eſtate and affairs of this our kingdom. And whereas we are careful and provident, that the government of this our kingdom of Ireland, during the abſence of our ſaid deputy general, may be ſupplied with meet perſons to manage the affairs of this ſtate, without revocation or diminution of the authority of our ſaid deputy general, know ye, that we, by the advice and conſent of our ſaid right truſty and well-beloved counſellor, Arthur, lord Chicheſter, baron of Belfaſt, our deputy general of our ſaid realm of Ireland, and with the advice of our council eſtabliſhed in the ſaid realm, and according to the tenor and intent of our letters above-mentioned, have conſtituted, ordained, and appointed you, and do by theſe preſents conſtitute, ordain, and appoint you to be jointly juſtices of our ſaid realm of Ireland, as ſubordinate to our ſaid deputy general, during

ing the abſence of our ſaid deputy general, or until we ſhall ſignify our further pleaſure to the contrary, to ſupply the government of this our kingdom, as aforeſaid, in all and every thing and things, according to the inſtructions hereunto annexed, and ſigned with the hand of our ſaid deputy general, as deputy general of our ſaid realm, and not otherwiſe, or in any other manner. And we do hereby further declare our expreſs will and pleaſure to be, that theſe our letters patent of commiſſion ſhall not enure or be deemed, or conſtrued to any revocation or diminution of the authority of our ſaid deputy general, but that the ſaid Arthur, lord Chicheſter, doth, and ſhall ſtill ſtand and continue our deputy general of this our realm of Ireland, as well for the holding, continuing, and diſſolving of our parliament, lately ſummoned in this kingdom, as to all other intents and purpoſes, according to the tenor and effect of our ſeveral commiſſions in that behalf granted formerly unto our ſaid deputy general, and according to the intent of our letters before-mentioned: any thing in theſe our letters patents, to the contrary thereof, in any wiſe notwithſtanding.

This letter and commiſſion, together with 1000 of the aforeſaid proclamations, were ſent over into Ireland by the worſhipful knight Sir Richard Boyle, who arrived at Dublin the 13th of February, and delivered the letters, with the commiſſion and proclamation, with his other

buſineſs

buſineſs to the lord deputy and council; and the next day after, the ſaid Sir Richard Boyle was ordained and ſworn in the council chamber, to be one of his highneſs's privy council in Ireland; and about the third day after, the aforeſaid proclamation was proclaimed, firſt at the high croſs of Dublin, in the preſence of the lord chancellor, and others of the council, and afterwards in divers other places of the city, in the preſence of the mayor and aldermen, and other the commons of the city. And all the reſt of the proclamations were diſperſed through the cities and towns of the whole kingdom, to be in like manner proclaimed as appertained.

And here it is to be noted, that divers members of the parliament, of both houſes, went over again into England, by his majeſty's commandment, as well ſuch as had been there before, as others that had not been called in former times.

Now all things being done according to his majeſty's directions here in Ireland, the lord deputy prepared himſelf to go into England, and having ſet the moſt reverend father in God, Thomas, lord archbiſhop of Dublin, and lord chancellor of Ireland, for one of the lords juſtices; and Sir Richard Wingfield, knight, marſhal of his majeſty's army in Ireland, for another; according to the tenor of his majeſty's commiſſion, his lordſhip departed, and took ſhipping on Sunday the 13th of March 1613, being accompanied with 8 knights, namely, Sir Henry

Henry Poore, Sir John Davis, Sir Roger Jones, Sir Adam Loftus, Sir Robert Digby, Sir Joſias Bodlye, Sir Edward Moore, Sir Robert Pigot, with divers other eſquires and gentlemen of worth, who attended his lordſhip in this journey at the ſame ſhipping; and on the 26th of March following, Sir Arthur San likewiſe followed.

On Monday the 14th of March, theſe two new elected lords went into the council chamber within the caſtle of Dublin, with alſo ſundry others of his majeſty's privy council of Ireland, where his highneſs's letters to the lord deputy, concerning their election, were read; as alſo their commiſſion and letters patent, their oaths miniſtered unto them, and his majeſty's ſword of ſtate delivered; and ſo they were fully eſtabliſhed lords juſtices, jointly to govern the kingdom of Ireland in the abſence of the lord deputy, who was lately gone to ſea, as is aforeſaid; but having troubleſome weather, and the wind ſtrong at north-eaſt, with much-ado his lordſhip landed the 15th of March, at a place in Wales, called Abbotdoran, and travelled thence by journies, towards Weſt-Cheſter; and in the way, about a mile from Aberconway, riding over an old bridge of planks, his horſe's foot ſlipped, and fell into the water, whereby his lordſhip was in great danger, but the gentlemen that were about him recovered him very quickly, without any great harm; ſo his lordſhip continued his journey to Weſt-Cheſter, where he ſtayed two days; and afterwards, upon the 21ſt of March, he

he ſet forwards towards London, where he was moſt honourably received by his majeſty, and afterwards repaired to his lodging.

Now as concerning that place where the lord deputy fell into the water, it hath been always accounted a very dangerous place for travellers, inſomuch that Mr. William ap Hugh of Renumgarthagh, confeſſed, that in his life-time he hath known ſeveral men drowned there, and that he himſelf had made ſeveral motions to the gentlemen of the country, for the repairing of the ſaid bridge, but no anſwer was given in any effect; and therefore, after the lord deputy had ſuch a miſchance, that he fell in there, the ſaid William ap Hugh, at his own coſts and charges, hath repaired and builded up the bridge in ſuch a good faſhion, that travellers may now paſs over without any danger; over which bridge the lord deputy rode again, upon his return back into Ireland.

The king hearing, debated at ſundry times in his royal preſence, the cauſes of the complaining recuſants, and the anſwers and objections of the lord deputy, his highneſs, out of his gracious and princely clemency, reſolved to give a direct and peremptory reſolution to the lords, knights, citizens, and burgeſſes, recuſants of Ireland, what was his moſt gracious will and pleaſure therein; and how his majeſty intended to give his royal cenſure upon them, ſeaſoned with favour and mercy, howſoever their deſerts had deſerved, as it will appear very plain in that which followeth:

His

His Majesty's ſpeech delivered in the council chamber at Whitehall, on Thurſday before Eaſter, being the 12th of April 1614, touching the miſcarriages of the recuſant lords and gentlemen of Ireland, in the parliament begun in that realm, the 18th of May 1613.

My Lords,

THESE noblemen and gentlemen of Ireland, are called hither this day, to hear my concluſion and determination in a cauſe of great conſequence, which hath depended long in trial. Thus far it hath had formality; for it is a formality that kings do hold in all proceſſes of importance, to proceed ſlowly, to give large hearings, and to uſe long debates before they give their ſentence. Theſe gentlemen will not deny, that I have lent them mine own ear, and have ſhewed (them) both patience and deſire, to underſtand their cauſe at full. It reſteth now, that we make a good concluſion after ſo long debate.

It is a good rule to obſerve three points in all weighty buſineſſes, long and curious debate, grave and mature reſolution, and ſpeedy execution. The firſt is already paſt, the ſecond is to be performed this day, and the laſt muſt follow as ſoon after as conveniently it may be.

I promised to theſe noblemen and gentlemen of the recuſant party, of parliament, juſtice without favour. Let them ſee whether I have not

not performed the ſame. I have given them a patient hearing; with a curious ſearch into the cauſes of their complaints, and now am to make a concluſion of this buſineſs.

In the ſearch (though I doubted not of the honour and juſtice of the lord deputy's government) yet I dealt with him, not as with my ſervant, not as with the moſt unreprovable governor that ever was in that kingdom (as ſome of yourſelves have acknowledged to myſelf in your private ſpeeches) but as with a party. But after the commiſſioners had heard all that could be alledged againſt him, I found him indeed a faithful ſervant by their certificate, which was *concluſium in cauſa*. The gentlemen I ſent were ſuch as no exception could be taken againſt them, ſome were never there before, ſome ſo long ſithence, that *rerum facies fuit mutatæ* ſince they lived in that kingdom.

It reſts in me now, to ſet down my concluſion; but before I declare my judgment, I will ſpeak of ſome things offered by you, the recuſant half body, who are called parliament recuſants. I have heard of church recuſants, but not parliament recuſants; this difference was never before heard of.

First, the letter you ſent unto me in the beginning of the parliament, was full of pride and arrogance, wanting much of the reſpects, which ſubjects owe to their ſovereign. Now if I ſhould do you juſtice, I ſhould take you at your word,

lay

lay together your offer in your letter, * and the articles which my attorney laid open unto you; then ſhall you ſee your loſs. For you made offer, that if you failed to prove any one point contained in your complaint, you would renounce my favour in all; yet have you ſcarce proved a word true, but, on the other ſide, almoſt every point hath been proved untrue.

Of fourteen returns whereof you complained, but two have been proved falſe; and in the government nothing hath been proved faulty except you would have the kingdom of Ireland like the kingdom of heaven. But commonly offenders are moſt bold to make offers of innocency; for this being in paſſion, began in heat, and continue in heat; but when they ſee themſelves in the glaſs of their own vanity, they find their error: and this I have found by my own experience in Scotland, and ſince my coming hither.

Now I will divide my ſpeech into two parts. Firſt, touching the offences done by you; ſecondly, of your complaints againſt the ſtate and government.

Touching the firſt, I will begin above. Firſt, an unuſual favour was offered you by my deputy: for he ſent for you, adviſed you to conſider what laws were fit to be propounded for the commonwealth, and offered to concur with you. Your anſwer ſhould have been humble thanks on

* Here the King read the words of their own Letter.

your

your knees; but you neglected that favour, and made anſwer by two agents, in the name of the reſt, that you would firſt be made acquainted with ſuch bills as the deputy and the council there had reſolved to tranſmit.

Before the parliament there was ſent to me, by a few noblemen, a letter raſh and inſolent, that nothing ſhould be purſued in parliament but you ſhould be acquainted with it; and withal threatning rebellion in a ſtrange faſhion, with ſimilitudes unſavoury and unmannerly, and unfit to be preſented to any monarch; and after that you did nothing but heap complaint upon complaint until the parliament was ſet down.

The parliament being ſat, you went on with greater contempt. There were in the lower houſe two bodies, and but one head; and whereas you ſhould have made an humble and dutiful anſwer to the commendation which I made of a ſpeaker, you, the recuſant party being the fewer, when the greater number went out to be numbered, ſhut the door, and thruſt one into the chair as a ſpeaker. After this the recuſants of both houſes departed from the parliament: the like was never heard of in France, Spain, or any kingdom in Chriſtendom.

Then came petitions to the deputy from a body without a head, a headleſs body; you would be afraid to meet ſuch a body in the ſtreets; a body without a head to ſpeak; nay half a body; what a monſter is this? a very bugbear! Methinks you that will have a viſi-

ble head of the church over all the earth, and acknowledge a temporal head under Chriſt, you may likewiſe acknowledge my viceroy or deputy of Ireland.

Then did the deputy give you warning to come to the parliament to paſs the bill of recognition, which you put off with tricks and ſhifts; but I will urge this no further. But why ſhould the lords refuſe to come? they had no colour of abſenting themſelves, having nothing to do with the orders or diſorders of the lower houſe. The lords here and the lower houſe are as great ſtrangers in theſe matters as the parliament houſes in Spain and France. Neither had the recuſants of the lower houſe any juſt cauſe of defection, ſince an indifferent committee was offered unto them. This was ſuch an ill example, and ſuch a crime, to refuſe to appear at the king's ſummons, as, if you ſhall adviſe with lawyers upon it, I know not what it may import.

After this you came hither, and only your appeal to me hath inclined me to mercy; yet I ſpeak not to encourage complaints to be brought hither, when the deputy and ſtate may determine them. Though this being a matter of parliament was fit for the king's hearing, and your appeal hath been heard *uſque ad nauſeam.* And whereas it ſhould have wrought humility and thanks, the fruit hath been, that (I will not ſay in a prepoſterous) but in a kind of rebellious manner, you have heaped complaints

upon

upon complaints, and petitions upon petitions, not warranted with any truth, to make the more noiſe, that what you could not carry with reaſon, you might carry with noiſe; whereas you ſhould have looked back to your own miſcarriages.

THEN I ſent commiſſioners to examine as well the by as the main buſineſs, to wit, the grievances preferred ſince you came firſt hither, and the parliament buſineſs, which you at firſt pretended to be the cauſe of your appealing to me; but inſtead of thanks for that favour, there came yet more new complaints, which, becauſe the council here have already anſwered, I will not ſpeak of. Now if you look back to your own miſcarriages, and my lenity, you ſhall find, that your carriage hath been moſt undutiful, unreaſonable, and in the next degree to treaſon, and that you have nothing to fly to but my grace.

THE lower houſe here in England doth ſtand upon its privileges as much as any council in Chriſtendom; yet if ſuch a difference had riſen here, they would have gone on with my ſervice notwithſtanding, and not have broken up their aſſembly upon it: you complain of fourteen falſe returns: are there not many more complained in this parliament? yet they do not forſake the houſe for it.

Now for your complaints touching parliament matters, I find no more amiſs in that parliament, than in the beſt parliament in the world;

eſcapes and faults of ſheriffs there may be, yet not them proved; and if it had been proved, no cauſe to ſtay the parliament, all might have been ſet right by an ordinary courſe of tryal, to which I muſt refer them.

But you complain of the new boroughs, therein I would fain feel your pulſe, for yet I find not where the ſhoe wrings. For firſt, they queſtion the power of the king, whether he may lawfully make them: and then you queſtion the wiſdom of the king and his council, in that you ſay there are too many made. It was never before heard, that any good ſubjects did diſpute the king's power in this point. What is it to you whether I make many or few boroughs? My council may conſider the fitneſs, if I require it. But what if I had created forty noblemen, and four hundred boroughs? The more the merrier, the fewer the better cheer.

But this complaint, as you made it, was prepoſterous; for in contending for a committee before they agreed of a ſpeaker, you did put the plow before the horſe, ſo as it went on untowardly, like your Iriſh plows. But becauſe the eye of the maſter doth make the horſe fat, I have uſed mine own eyes in taking a view of thoſe boroughs, and have ſeen a liſt of them all. God is my judge, I find the new boroughs, except one or two, to be as good as many of the old boroughs, comparing Iriſh boroughs new with Iriſh boroughs old, for I will not ſpeak of the boroughs of other countries; and yet beſids

ſides the neceſſity of making them, I find them like to encreaſe and grow better daily. I find beſides but few erected in each county, and in many counties but one borough only; and thoſe erected in fit and convenient places near forts or paſſages for the ſafety of the country. Methinks you that ſeek the good of the kingdom ſhould be glad of it. I cauſed London alſo to erect boroughs there, which when they are thoroughly planted, will be a great ſecurity for that part of the kingdom; therefore you quarrel at that which may bring peace to the country.

FOR the perſons returned out of thoſe boroughs you complain they have no reſidence. If you ſaid they had no intereſt, it had been ſomewhat; but moſt of them have intereſt in the kingdom; *et qui habent interceſſare*, like to be as careful as you for the weal thereof. I ſeek not *emendicata ſuffragia*. Such boroughs as have been made ſince the ſummons, are wiped away at one word for this time. I have tried that and done you fair play. But you that are of a contrary religion muſt not look to be the only law-makers; you that are but half ſubjects ſhould have but half privileges; you have but one eye to me one way, and to the pope another way; the pope is your father in *ſpiritualibus* and in *temporalibus* only, and ſo have your bodies turned one way, and your ſouls drawn another way; you that ſend your children to the ſeminaries of treaſon. Strive henceforth to become good ſubjects, that you may have *cor unum et viam unam*, and then

I ſhall reſpect you all alike. But your Iriſh prieſts teach you ſuch grounds of doctrine, as you cannot follow them with a ſafe conſcience, but you muſt caſt off your loyalty to the king *.

Touching the grievances whereof you have complained, I am loth to ſpend breath in them; if you charge the inferior miniſters in the country, all countries are ſubject to ſuch grievances. But if you charge the deputy and ſtate, *nihil probatur.* Indeed I hear, and not from you, but from others, there is one thing grievous to the country, that notwithſtanding the compoſition eſtabliſhed in the provinces, the governors there do ſend out their purveyors, who take up their achates and other proviſion upon the country. If this had been complained of to the deputy or to me, it had been reformed; the deputy himſelf at Dublin doth not grieve the country with any ſuch burthen. Another thing there is that grieveth the country people, which is, that in the country where there is half peace and half war, the ſheriffs and the ſoldiers in their paſſage do commit many extortions. For theſe grievances I myſelf will call the deputy unto me, and ſet down ſuch orders in this time of vacation, as theſe abuſes ſhall be redreſſed, and clear taken away; and if any ſuch diſorders be ſuffered hereafter it ſhall be only for fault of not complaining: and becauſe the meaner ſort will perhaps fear to complain, I would have ſuch

* Here the king mentioned an Iriſh Prieſt's letter lately intercepted.

gentlemen

gentlemen of the country as are of the beſt credit with the deputy, to preſent complaints, which they may do in ſuch manner as to the parties who prefer the complaints may not be known.

There is a double cauſe why I ſhould be careful of the welfare of that people: firſt, as king of England, by reaſon of the long poſſeſſion the crown of England hath had in that land; and alſo as king of Scotland; for the ancient kings of Scotland are deſcended from the kings of Ireland; ſo as I have an old title as king of Scotland, therefore you ſhall not doubt to be relieved when you complain, ſo as you will proceed without clamour.

Moreover my care hath been, that no acts ſhould be preferred that ſhould be grievous to that people, and to that end I peruſed them all, except one, which I ſaw not till of late, and that is now out of doors; for I proteſt I have been more careful of the bills to be paſſed in that parliament, than in the parliament of England.

Lastly, for the imputations which may ſeem to touch the lord deputy, I have found nothing done by him but what is fit for an honourable gentleman to do in his place, which he hath diſcharged as well as any deputy ever did, and ſo divers of you in private have confeſſed to me; and I find your complaints againſt him and the ſtate to be but careleſs expoſtulations.

To conclude, my ſentence is, that in the matter of parliament, you have carried your-

ſelves tumultouſly and undutifully; and that your proceedings have been rude, diſorderly, and inexcuſable, and worthy of ſevere puniſhment, which by reaſon of your ſubmiſſion I do forbear, but not permit, 'till I ſee your dutiful carriage in this parliament, where, by your obedience to the deputy and ſtate, and your future good behaviour, you may redeem your paſt miſcarriage, and then you may deſerve not only pardon, but favour and cheriſhing.

In this year the king's majeſty received advertiſements by letters from beyond the ſeas, that there was a certain friar called John Stewart, a Scottiſhman born, which was coming from Rome to England, Scotland and Ireland, as the pope's nuncio, to animate the ſuperſtitious ſubjects of thoſe kingdoms, and to work ſome further miſchief concerning the king's perſon. He was ſo artificially deſcribed to the king's majeſty in ſhape and proportion of body, in phyſiognomy of face, in colour of hair, and in ſuits of apparel, his journey and travel with his companions and aſſociates, in every particular, whereby his majeſty gave particular notice of him throughout all his dominions, chiefly in Ireland, where it ſeems his firſt arrival was intended, eſpecially commanding, that he ſhould be ſpeedily apprehended, if poſſibly he might be found; and it ſo chanced, that one lieutenant Huſſey met with him, and brought him to the caſtle of Dublin, where he was examined before the lords juſtices

juſtices and others of the council. Upon Monday the ſixteenth day of May, he was examined from ſeven of the clock in the morning until twelve of the clock at noon, but what he confeſſed was yet unknown; but moſt certain it is, that the next day, being the ſeventeenth of May, he was put on ſhip-board, and ſent into England to the king, with a ſtrong guard under the charge and conduction of one. This man, the ſaid friar ſerved ſometimes one Peter Nangle, a gentleman born in Ireland, who had been in his youth a very gallant courtier, and for religion ſake fled into Spain about the year 1576, and there became a friar himſelf, and ſo continued until his dying day.

The 28th day of May Mr. John Laffan, a young gentleman born in the county of Tipperary, was ſlain at the end of School-houſe-lane, near Cook-ſtreet, Dublin, by one Edward Muſgrave, a quarrelling ſoldier of the guard, who was therefore apprehended and arraigned in the king's bench, and there condemned of wilful murder, and adjudged to be drawn, hanged and quartered; but upon good conſideration that execution was deferred and reſpited for a time; and upon my lord deputy's return he was executed for the fact at Dublin.

In this year certain luſty companions, *viz.* John Morris, Peter Hilliard, and Hugh Rogers, and others, conſulted to ſteal away a ſhip that lay at Dalkey-head loaded with a merchant's goods of Cheſter; with which ſhip they ſailed

ſailed into the north of Ireland, where they anchored in Lough Suilly, and were apprehended by the means of biſhop O'Coffie, and ſent up to Dublin, where they were arraigned before Sir Adam Loftus, who was judge of the admiral court in Ireland, and were condemned to death, chiefly thoſe three above-named, who were found to be the chief and principal actors, and the reſt were remitted and ſet at liberty, and theſe three were executed upon the ſtrand, at low-water mark, by Dublin, upon the 30th of May, 1614.

In this year one Thomas Barnap, an Engliſhman born, being a ſoldier, and dwelling in Conaught, was accuſed for ſpeaking theſe or the like words, *viz.* that all Engliſhmen were cowards and fainthearted, that would receive a Scottiſhman to reign over them; for which words he was apprehended and arraigned in Conaught aforeſaid at the aſſizes holden at Roſcommon before Sir Dominick Sarsfield, ſecond juſtice of the king's bench, where the ſaid Thomas Barnap was indicted and found guilty. But Sir Dominick proceeded no further with him there, but deferred his judgment until the next Eaſter term to be holden at the court of king's bench at Dublin, where the ſaid Thomas was to appear; and there judicially he received judgment according to the weight of his offence, which was, that he ſhould be drawn, hanged and quartered; and according to this ſentence he was executed upon Oxmantown-green, by Dublin, the 4th of June, 1614.

Upon

Upon the 8th of June there came a packet of letters out of England, whereby it was known, that the parliament was once more to be adjourned, *viz.* to the 11th of October, and that the king's majeſty was to begin a progreſs upon the 20th of July; whereby it was judged that there ſhould be ſome longer ſtay made of the lord deputy's coming over, who was then in England. But the king being prepared for his progreſs, licenſed the lord deputy to depart and return into Ireland; who after he had taken his leave of the king, departed from London on Monday the 11th of July, being accompanied with Sir Henry Poore, Sir Robert Digby, Sir Charles Wilmot, Sir Adam Loftus, Sir Roger Jones, Sir Edward Moore, and many other gentlemen of worth, who attended his lordſhip, and arrived with him at the head of Howth upon the 26th of July very early in the morning; and the ſame day in the afternoon the lords juſtices, with as many of the nobility as were near at hand, and alſo the mayor of the city of Dublin, with the aldermen and commons, rode forth to meet the lord deputy, by whom he was received moſt joyfully, and attended upon with great troops of horſemen of all eſtates riding from Howth towards Dublin; and as he entered the city he reſumed again his majeſty's ſword of juſtice and eſtate in his own hands, which was borne before him by the lord of Howth; and ſo riding moſt honourably with great applauſe and rejoicing of the people, he paſſed

paſſed through the city, and went to his own houſe at Hoggen-green.

This year in the month of Auguſt there was a very fair monument of alabaſter ſet up in the high choir of the cathedral church of the Trinity in Dublin for that honourable child Arthur Chicheſter, ſon and heir to the lord Chicheſter, baron of Belfaſt, and lord deputy general of the kingdom of Ireland, born unto him of that moſt virtuous lady his wife, the lady Lettice, the daughter of the moſt worthy knight Sir John Perrot, who had been ſome time lord deputy in Ireland. The child was born in 1606, on the firſt of October, and died in November next following, and lived not full two months. Upon whoſe death a gentleman attending the ſtate made this epitaph:

Here lies the father's hope and mother's joy,
Though they ſeem hapleſs, happy was the boy;
For of his life the long and tedious race
He hath diſpatched in leſs than two months ſpace.
A bleſſed ſoul to whom ſuch grace was given,
To make ſo ſhort a voyage unto heaven:
And here a name and chriſtendom to gain,
And to his Maker ſtraight return again.

The 18th of Auguſt there was a great commencement holden in the univerſity at Dublin, but becauſe the rooms in the Trinity College were very ſmall, they held their acts of diſputation

tion in the high choir of St. Patrick's church, and there proceeded that day five doctors in theology, *viz.*

Dr. Jones, lord chancellor, } by grace.
Dr. King, biſhop of Elphin, }

Dr. Uſher, }
Dr. Richardſon, } in publick diſputation.
Dr. Walſh, }

Batchelors of divinity, 3.

Maſters of the arts, 15.

Batchelors of the arts, 17.

The whole number of graduates at this commencement, 38; beſides three that were incorporated.

The manner of this commencement was accompliſhed in this order: firſt, Dr. Hampton, lord archbiſhop of Armagh and primate of all Ireland, who having many years before proceeded Doctor in theology at the univerſity in Cambridge, was now at this commencement incorporated into the univerſity of Dublin, and was the ſenior doctor cathedral and moderator of theological acts in the commencement; ſo upon the day appointed, *viz.* the 18th day of Auguſt, the ſaid doctor Hampton, lord primate, together with the provoſt, fellows, and ſcholars of the houſe, paſſed from the college through the city of Dublin in very ſtately order; for the lord primate and other ancient doctors, and alſo thoſe that were to proceed doctors, were every one attired in ſcarlet robes, with their doctors hoods; alſo the batchelors of divinity, the

the maſters and batchelors of arts were attired in other ſcholar-like attire as appertained, which made a very beautiful ſhow to the ſight of all men; and they were further moſt highly graced with the preſence of the lord deputy, the lord chancellor, Sir Thomas Ridgway, knt. treaſurer, and treaſurer at war, with divers others of the council, who followed after them, and ſat in St. Patrick's church to hear their diſputation and diſcourſes, which were performed as followeth.

First, when they were entered the choir of St. Patrick's church, the maſters and batchelors of arts ſat down in their places appointed for them, every one according to his degree; likewiſe Dr. Dun, being a doctor in the civil law, and vice-chancellor of the univerſity, took his place, which was appointed for him in the choir; and then Mr. Anthony Martin, proctor for the college, aſcended up into one of the pulpits, as moderator of the philoſophical acts. And the lord primate, who was father for the day, of the theological acts, with thoſe three which were to proceed in the publick diſputations, as alſo two batchelors of divinity, did aſcend up to their places which were appointed for them on the right ſide of the choir. And when the lord deputy, and the lord chancellor, and the council were ſet, and all things in good order, Dr. Dun, the vice chancellor of the univerſity, began an oration in Latin, being as a general introduction into all the acts of that day's diſputation, which he performed learnedly; and

when

when he ended his oration, the primate began another oration in Latin concerning the act of divinity, and thoſe that were to proceed doctors.

THIS oration contained a long diſcourſe, wherein he adminiſtered five academical ceremonies as here do follow in order:

1. He ſet them in his chair.
2. He gave them ſquare caps.
3. He delivered them the bible.
4. He put rings upon their fingers.

THESE ceremonies miniſtered ſeverally to each of them, firſt to Dr. Uſher, then to Dr. Richardſon, and laſtly to Dr. Walſh; and the lord primate expounded to them the ſignification of each ceremony.

THIS manner of commencement was never uſed in Ireland before this time. Now all things being thus performed by the lord primate, as is ſaid, Dr. Uſher went down into the choir, and aſcended up into one of the pulpits, where he made a ſermon-like oration upon the text, *Hoc eſt corpus meum*; and after a long diſcourſe thereon, the other two doctors, *viz.* Dr. Richardſon and Dr. Walſh diſputed with Dr. Uſher upon the ſame point; in which diſputation, the lord primate, who was the father of this theological act, was alſo moderator in their diſputation, and finiſhing the act, they roſe up, and returned back to the Trinity College, where a ſtately dinner was provided for the lord deputy and council. And thus were all things concerning

ing the acts of commencement in the Univerſity of Dublin, performed and accompliſhed to their high commendations and credit.

The total ſum of all the graduates that have commenced in this univerſity from the firſt foundation thereof to this preſent year 1614 incluſive, containing the ſpace of 23 years,

Doctors in divinity	7
Doctors in civil law	1
Doctors in phyſick	1
Batchelors in theology	7
Maſters of arts	38
Batchelors of arts	53
Bachelors of muſic	2
Total graduates	109

Beſides thoſe incorporated—3. *viz.* 1 doctor, and 2 maſters of arts.

And whereas it hath pleaſed God, that in theſe few years of her infancy, ſhe hath brought forth ſuch a learned iſſue, it is to be hoped for, that in her more ripe and mature years (God bleſſing her increaſe) ſhe ſhall produce multitude of learned children, who ſhall flouriſh in the church and commonwealth, to the glory of God, and the increaſe of true chriſtian religion in Chriſt Jeſus. Amen.

This year all the counſellors of law that were in Ireland, who would not take the oath of ſupremacy, were put from pleading of cauſes in any of the four courts, or elſewhere to ſpeak for any clients. Likewiſe, ſuch as were penſioners, that

that would not take the ſaid oath, were diſcharged of their penſions.

You have read in the diſcourſes foregoing, that divers noblemen, knights, and gentlemen of Ireland, were ſent for by the king's majeſty to repair into England, when the lord deputy went over there, to ſhew the cauſes of their griefs before the king, in the preſence of the lord deputy; where they ſeemed vehemently to aggravate their complaint, but yet to ſmall purpoſe, as it doth plainly appear by his majeſty's royal ſpeeches late delivered at Weſtminſter, upon the 21ſt of April 1613, which you may read a little before. Now, after the lord deputy was returned back into Ireland, the ſaid lords, knights, and gentlemen, were likewiſe licenſed to return home to their own countries.

William Talbot, of ———, eſq; notwithſtanding his heinous offence made to his majeſty, and his long impriſonment in the Tower, and the fine of 10000*l.* impoſed upon him in the ſtar-chamber of England, yet was the king's highneſs moſt graciouſly pleaſed, upon his humble ſubmiſſion, to tolerate his offences, and to permit him to go over into Ireland with the reſt of his countrymen.

Anno 1614, September the 30th.
Richard Brown, mayor.
Patrick Fox, Richard Bennet, ſheriffs.

The parliament was now again prorogued until the 28th of April 1615.

In this year certain of the ſept of the Clandonells, in the out-iſles of Scotland, went out into rebellion, and held a ſtrong caſtle in the iſland of Iſla againſt the king; but his majeſty ſent ſpeedy directions to the lord deputy in Ireland, to ſend thither certain pieces of great ordnance for battery, with ſoldiers and commanders, as he ſhould think fit for ſuch ſervice. So the deputy appointed the worthy knight Sir Oliver Lambert to be the chief governor and director of that ſervice, accompanied with Sir Thomas Philips, who commanded one hundred men, and captain Crafford, who commanded another hundred, with two cannons and culverine; and when all things were in readineſs, they departed from Dublin the 4th of December 1614, being ſhipped in two of the king's ſhips, *viz.* the Phœnix and the Moon; and when they came into the iſland, they expected to meet with Sir John Campbell, lord of Caldore; but he came not to them in eight or nine days after; and when he came to Sir Oliver, they marched towards the caſtle, and began to plant their battery, in which buſineſs captain Crafford was ſlain with a bullet from the caſtle: this notwithſtanding, in five or ſix days they made a breach, and the rebels, having boats within the caſtle, ran away by night; and ſo Sir Oliver took the caſtle, and delivered it to the ſaid Sir John Campbell to keep for the king's uſe, and ſo removed his camp, and ſhipped his men and his ordnance, and returned to Ireland, arriving at Dublin on the 11th day of February in the year aforeſaid.

RIGHT

RIGHT truſty and well beloved, we greet you well. Upon full examination of the cauſes, as well for the diſſenſion which happened in the houſe of commons there about the election of the ſpeaker, and the departure of divers of the members of both houſes from the parliament, we have found the parties which departed from the reſt, although they complained of wrong done unto them, to have been faulty, and in the wrong themſelves; and that the reſt who continued their attendance in parliament are not only free from blame, but that they do deſerve our favour and good opinion for their loyal and dutiful carriage in that behalf, which we require you ſpecially from us, and in our name, to ſignify unto them. Howbeit, ſince we for our part have been pleaſed to forbear to puniſh the contempts committed againſt us, by thoſe who willingly departed from the parliament there, in regard of their appeal to our juſtice, and ſubmiſſion unto our judgment, as well touching the election of the ſpeaker, whom we judge to be lawfully choſen, as in all other points, together with their humble promiſe from henceforth to give their dutiful attendance in this parliament; we do hereby will and require you to ſignify to the houſe of commons there, that it is our deſire, that they take example from us in forbearing to call in queſtion any contempt or miſdemeanour heretofore committed in that houſe, by any of thoſe parties who departed

from the reſt, to the end that all the members of that houſe may be remitted in concord and amity, and that particular expoſtulations may not give impediment to the general buſineſs. And whereas the members of that houſe, who departed from the reſt, complaining at firſt of the number of new boroughs lately erected before the beginning of this parliament, have now acknowledged our lawful power and prerogative, as well to incorporate, as to enable the ſame to ſend burgeſſes to the parliament, only they have been humble ſuitors unto us, that we would be pleaſed to conſider of the conveniency thereof; we have, with the advice of our council here, thought fit and convenient, that the burgeſſes returned from eight boroughs only, which were erected by our charters there ſince the writs of ſummons to this parliament went forth, namely, the burgeſſes returned from the ſeveral towns or boroughs of Tallagh, Liſmore, Catherlogh, Clonkiltie, Featherd, in the county of Wexford, Agher, Belfaſt, and Charlemont, ſhall forbear to ſit in the houſe of commons during this parliament only; and that the burgeſſes returned from the boroughs of Kildare and Cavan, being found by the certificate of the commiſſioners, lately ſent thither, to be falſely returned, do likewiſe forbear to ſit in that houſe, unleſs they be again duly elected. And whereas the ſaid commiſſioners, upon a certificate made unto them by the principal clerk of the office of the rolls, they have informed us, that the towns and boroughs

roughs of Clogher, Alone, and Gorocan, have no lawful power by charter or preſcription, to ſend burgeſſes to the parliament, we think it fit, if that certificate be found true, that the burgeſſes returned from the ſaid three towns of Clogher, Alone, and Gorocan, ſhall forbear alſo to ſit in this houſe of parliament; but that all the reſt of the burgeſſes returned into this parliament, from any other city or borough, new or old, be admitted as lawful members of the houſe of commons there, as being lawfully elected and returned: all which we require you to make known to the houſe of commons there, not doubting but that they will conform themſelves unto that which we have reſolved here, in all the points aforeſaid. But now, foraſmuch as the doubts and queſtions which have been moved, touching the parliament, are fully cleared and reſolved, we think it a fit time to diſpatch from hence Sir John Davis, our attorney general of that kingdom, with thoſe bills which were firſt tranſmitted thither under the great ſeal of England, and were lately ſent for hither again by our ſpecial direction, to the end that the bill againſt the Jeſuits, &c. might be taken away from the reſt, to be further conſidered of by us; which we ourſelves have done with our own hands, ſending the reſt back again unto you, to be propounded in the next ſeſſions which is to begin in October next, if you find no cauſe to the contrary upon your arrival there; or if we in the mean time ſhall not give you directions to prorogue the ſame

to a further day. In the mean time, we recommend unto you the care and diligence of our ſaid attorney in this publick buſineſs from the beginning; and becauſe his paſſage to and fro, and his long attendance at this time, hath been chargeable unto him, we require you to give him ſuch allowance as he hath formerly received upon the like employments; and theſe our letters ſhall be your warrant in that behalf. Given under our ſignet at Beavour Caſtle, the 7th day of Auguſt, in the twelfth year of our reign of Great Britain, France, and Ireland.

INSTRUC-

INSTRUCTIONS

TO THE

Commiſſioners ſent by king JAMES I, to Ireland, to enquire principally into the diſturbances in the parliament of 1613. Extracted out of the Rolls office.

Anno 11 James 1.

[N. B. *The two firſt articles are ſo defaced in the Roll as not to be read.*]

3. ITEM. You ſhall inquire and inform yourſelves, whether there were any combinations, confederacies, or practices, made in any part of our ſaid realm of Ireland; that none ſhould be choſen from thence as knights, citizens, and burgeſſes, for the parliament that uſually repaired to church to hear divine ſervice there, or were conformable to the religion there eſtabliſhed, by the laws and ſtatutes of our ſaid realm, or that any ſhould forbear to give their voice for the choice of any ſuch, and whether any jeſuit or prieſt had any meddling in ſuch combination or practice; or whether means were uſed to any to that effect? And where, and in what parts and places, were the ſame practices uſed, and who were the authors thereof?

4. *Item.* You ſhall enquire and inform yourſelves, whether there have been any late general aſſeſſments, levies, and receipts of monies in that kingdom, by virtue of contributions or otherwiſe, upon our ſubjects, without authority from us or our ſtate there? What were the cauſes or pretended cauſes of ſuch aſſeſſments and collections? What cauſes have been uſed for the aſſeſſing, collecting, and levying of the ſame ſums? What the ſums are? To whom paid? And by what pretended authority or means the ſame ſums are ſet, levied, or procured? Who are the collectors, receivers, and expenditors of the ſame? In what parts or provinces of our ſaid kingdom the ſame are ſet or levied? And who are the principal perſons that give aid, countenance and furtherance to the ſame? And whether the prieſts and jeſuits do not uſe their perſuaſions, as alſo the terror of excommunication, to procure any ſuch aſſeſſments, or levies of monies?

5. *Item.* You ſhall enquire and inform yourſelves, whether any of the parliament did ſtir up, cauſe, or procure petitions to be drawn and preferred unto themſelves, complaining of undue elections and returns to the parliament? Or did ſend or cauſe to be ſent meſſengers to move any that did pretend to be elected knights, citizens, or burgeſſes, to complain, and whether there were any ſuch kept in Dublin at the charge of the country? From whence they came, and how, and by what means their charges were gotten

gotten from the country? And who were made agents and procurers in any the points aforeſaid?

6. *Item.* You ſhall enquire and inform yourſelves, whether the number of the knights, citizens, and burgeſſes, that choſe Sir John Davis or Sir John Everard, ſpeaker of the lower houſe of parliament, were the greater? And whether any of thoſe that were the chooſers of Sir John Everard could ſpeak no Engliſh, and how many? And what and how the manner of placing or diſplacing of either of them as ſpeaker was? Learn and obſerve the true and material circumſtances of that matter.

7. *Item.* You ſhall enquire and inform yourſelves, what were the true cauſes, as well as the pretended cauſes, why that part of the lords and commons that withdrew themſelves from the parliament, did ſo withdraw themſelves? And who were the authors, procurers, movers, or perſuaders thereof? And what were the means uſed to bring it to paſs?

8. *Item.* You ſhall enquire and inform yourſelves, whether the lord deputy did order and conclude, that an indifferent committee of both houſes ſhould be choſen to examine the undue elections and falſe returns complained of? And whether the lords and commons that withdrew themſelves from the parliament had notice thereof? And by whoſe means, and by whoſe default it was, that the ſame motion took no effect? and what was the reaſon thereof?

9. *Item.* You ſhall enquire and inform yourſelves, what number of armed men were drawn into the city of Dublin, to attend the parliament? And at whoſe petition, and what was the cauſe thereof?

10. *Item.* You ſhall enquire and inform yourſelves, whether the lords, knights, citizens, and burgeſſes, or ſome of them, did not come to Dublin to the parliament, with extraordinary companies of men, and followers? And who theſe were that came ſo extraordinarily accompanied? And with what numbers? And whether their followers did not continue with them in town ſo long as the ſaid lords came to the parliament houſe?

11. *Item.* You ſhall enquire and take knowledge of any other thing unduly, indirectly, or diſorderly practiſed, done or committed, concerning the parliament, or to the diſturbance of the ſame.

Other Inſtructions likewiſe given by his majeſty, out of his gracious and princely care of the good eſtate of his ſaid kingdom of Ireland, to be reported by the ſaid commiſſioners to his majeſty, of any general grievances upon his ſubjects of that kingdom; that his highneſs may be pleaſed to give his royal directions, for redreſs and relief, according to his princely wiſdom and juſtice.

1. IMPRIMIS. You ſhall enquire and inform yourſelves, whether the laws that are in force

force in our ſaid kingdom of Ireland, for the maintenance and advancement of the religion there eſtabliſhed, be put in due execution, and whether the ſaid religion be by the natives had in reverence and reſpect, or not; if not, what be the cauſes and reaſons thereof, and how the ſame may be provided for and remedied.

2. *Item.* You ſhall diligently enquire and inform yourſelves, if there have been any general, great, and notorious extortions and oppreſſions in the martial men and ſoldiers, within the ſpace of five years laſt paſt, before the date of this commiſſion? And what are the kinds of the extortions and oppreſſions? And whether the martial men and ſoldiers have uſed within that time to ceſſe, where compoſition is paid in diſcharge of ceſſe? Whether any, and what countries and places have been double charged? And by whoſe warrant, toleration, or connivance, ſuch oppreſſions were committed? And whether ſome captains have not uſed to withhold their ſoldiers pay, which have been an occaſion, that they have the rather extorted upon the country? And who are the ſpecial procurers, or were, or are offenders in any the points aforeſaid? And what hath been done for redreſs of ſuch abuſes there already? And what are the beſt and fitteſt means to prevent and reform the ſame hereafter?

3. *Item.* You are to enquire and inform yourſelves, whether the carriage maſters, and other inferior miniſters, have, within the ſame time,

time, oppreſſed the people, by colour of their offices, upon general hoſtings made by the lord deputy, or in other caſes? What are the kinds of ſuch their oppreſſions? And who were, and are the principal offenders in that caſe, either by act or connivancy? And how theſe abuſes may be hereafter remedied and reformed.

4. *Item.* You ſhall enquire and inform yourſelves of the extortions and ill practices of ſheriffs, and their under ſheriffs, and other like miniſters and officers, what are the principal kinds of the ſame? Who have therein, within the time aforeſaid, offended notoriouſly? And what are the fitteſt means to reform the ſame?

5. *Item.* You ſhall enquire and inform yourſelves, whether any yearly profit be uſually made by way of compoſition or diſpenſation with thoſe that break the act and order of council, made in our ſaid kingdom, againſt the uſe of certain ploughs, called Short Ploughs, by which the ground cannot be well huſbanded? Who they are, that gather or receive ſuch yearly profit or compoſition, and to whoſe uſe? By whoſe warrant or toleration the ſame is done? Where, and in what part of the kingdom? And how much the ſame is conceived to amount unto yearly? And whether it be not fit, that thoſe kind of ploughs be forbidden, and not uſed?

6. *Item.* You ſhall likewiſe enquire and inform yourſelves, of the extortions and ill practices commonly uſed by officers of all ſorts, and inferior clerks, as well in the courts of juſtice,

as

as elſewhere, within the time aforeſaid; and namely, in the court of exchequer; and of taking of exceſſive fees; who have been the principal offenders that way? And what is the beſt courſe for prevention and reformation thereof?

7. *Item.* You ſhall enquire and inform yourſelves, of ſuch other general and notorious grievances, as you ſhall find to be to the common hurt of the ſubject, who are the chief offenders? And how the ſame may be beſt prevented and redreſſed?

8. *Item.* You ſhall diligently and thoroughly inform yourſelves, of the new plantation, or intended plantation of Wexford, and what proceedings have been had thereupon? What they are? And how many houſholds and perſons that are removed, or to be removed from thence? And of what condition? Whether they, and their anceſtors, have been faithful to the ſtate? How long they have been in poſſeſſion? And whether by deſcent, or by taniſtry? And who they are, that are to be planted there in their rooms? And of what condition are both the principal undertakers, and their tenants and farmers? Whether any of them be of the Iriſh, and namely, of the Cavenagh's? Whether the ſaid perſons that are brought, or to be brought thither, and their anceſtors, had been likewiſe faithful to the ſtate? And whether any were removed, when corn ſowed by them, was growing upon the ground? And whether they are permitted to have and take their own corn, ſo ſowed

by

by them, or not? And what dwellings and habitations are provided and aſſigned unto them in lieu of their former?

9. *Item.* You ſhall enquire and inform yourſelves, whether the ſaid perſons that are removed, or meant to be removed, have offices, or will perform, pay, or do all things, either in buildings, or maintainings of caſtles or forts, or paying or rendering to the crown the ſame rents, ſervices, and profits, and bearing all other charges that the now undertakers are, by their bargains, to do, pay and perform?

10. *Laſtly*, You ſhall enquire and take knowledge of any other thing fit to be underſtood, and certified unto us, concerning the ſaid plantation of Wexford.

The commiſſioners return and certificate, concerning the firſt paper of Inſtructions.

WHEREAS, by his majeſty's commiſſion, under the great ſeal of England, and the inſtructions thereunto annexed; and bearing date the 27th of Auguſt, of his majeſty's reign of England, France, and Ireland, the 11th, and of Scotland the 47th, directed to us, Arthur, lord Chicheſter, of Belfaſt, his majeſty's deputy of the ſaid realm of Ireland, Sir Humphry Winche, knight, one of the judges of his majeſty's court of C. B. at Weſtminſter, Sir Charles

Charles Cornwallis, knight, Sir Roger Wilberham, knight, one of the maſters of requeſt to his majeſty in ordinary, and George Calvert, eſq; one of the clerks of his highneſs's privy council in ordinary, requiring us to examine divers pretended practices and abuſes concerning the parliament lately ſummoned, and aſſembled at Dublin; as alſo other general grievances upon his majeſty's ſubjects, in the realm of Ireland: and thereof, to certify his majeſty diſtinctly into his high court of chancery, under our ſeals. We have accordingly, this 12th day of November, in the year aforeſaid, at the city of Dublin, in his majeſty's ſaid realm of Ireland, made diligent enquiry, and informed ourſelves, as well by the depoſitions of ſeveral witneſſes, by ſearch of records, certificates from the reverend fathers, the lords biſhops of the ſaid kingdom, from the juſtices of aſſize, officers, clerks, and miniſters in his majeſty's courts of juſtice, as by other good ways and means, concerning the premiſſes, as by his majeſty's ſaid inſtructions we are directed. And we do humbly make this our certificate under our ſeals, as by the ſaid commiſſion we are required.

Concerning matters of parliament.

1. IMPRIMIS. We have enquired and informed ourſelves, by certificate upon oath, from the clerks and officers of the chancery, who iſſue the writs, and receive the returns, and keep

keep the records of parliament, that the writs have been ſent forth to the ſheriffs of every county within this realm, for election of knights, citizens, and burgeſſes to this parliament, in the uſual form; and we find, that the knights, citizens, and burgeſſes, have been returned from all counties, antient cities, and boroughs, without omiſſion, of any that hath appeared, either by record or depoſition of witneſſes, to have right to be returned to the ſaid parliament.

2. Touching fraud, force, or other unlawful practices in the elections and returns of knights, citizens, and burgeſſes, for the ſhires, cities, and boroughs complained of, namely, in the counties of Armagh, Cavan, Down, King's county, Limerick, Fermanagh, Tyrone, Roſcommon, the county of the city of Dublin; and the boroughs of Carlingford, Trim, Kildare, Wicklow, and Cavan, upon diligent enquiry made, concerning the ſheriffs or officers, charged with undue practices, and the parties ſuppoſed to be wronged by the ſame, with their proofs and witneſſes on both ſides, we find in every of them, as followeth:

In the county of Armagh, the election-day being on Thurſday the 22d of April, the ſheriffs requeſted the gentlemen and freeholders to meet at Armagh the day before, to confer of the election, the Iriſh ſuppoſing (as they ſaid) that day to be the day of choice, the ſheriff ſignified unto them, that the morrow after, was the day appointed for the election; at which day,

in

in the morning, he attended the coming of the freeholders, near the ſhire-houſe, till nine o'clock; and about that hour, the Iriſh and Britiſh freeholders, then preſent, entered into the ſaid houſe; he read the writ, and Sir Toby Caulfield and Sir John Bourchier, being propounded to be knights, Henry Mac Shane O'Neill, complained to the ſheriff, that ſome of the Iriſh freeholders were kept out of the houſe by ſoldiers at the door; whereupon the ſheriff went down, and commanded, that no freeholder ſhould be debarred entrance, and returning, proceeded to the election; when, by the greater number of voices then preſent (being thirty) Sir Toby Caulfield and Sir John Bourchier, were elected, there being then not above ſeven or eight Iriſh freeholders preſent; in regard that Neill-mac-Tirlagh O'Neill, offering to come into the houſe, and being croſſed by one at the door with a halbard (ſuppoſed to be a ſoldier) would not afterwards enter, though invited by his brother; but, together with 20 others, who never offered to come in, departed upon this pretended occaſion, being alſo forewarned by Henry Mac Shane, not to ſtay after 9 o'clock; for that all elections after that hour were void; which twenty, notwithſtanding, with ſome other of the Iriſh, to the number of 41 freeholders (as they alledged) but upon examination, found to be but 27; about eleven o'clock the ſame day, aſſembled in the church, and there, without either the preſence or privity of the ſheriff,

 elected

elected Sir Tirlagh Mac Henry O'Neill, (who can ſpeak no Engliſh) and Henry Mac Shean O'Neill, and preſented their names to the ſheriff; as to the force, it was no other than this, that the ſheriff brought with him ſix ſoldiers, three pike and three ſhot, to keep the peace, in caſe any tumult ſhould ariſe, and left them near the ſhire-houſe, at his going into the election, without any commandment given (as the ſheriff depoſed) to ſtay any freeholder from entrance. Nevertheleſs, one with a halbard in the company of the ſoldiers, but denied to be of the ſix brought by the ſheriff, did ſtop Neill Mac Tirlagh from entering as aforeſaid; and this was all the force found by the commiſſioners in the election.

In Cavan; that the day of the aſſizes, and the day of the election, was the ſame, namely, the 6th of April, where the freeholders of the county being aſſembled in the nether end of the ſhire-houſe, the judges ſitting in the other part; after proclamation, and reading the writ, the ſheriff required the freeholders then preſent to proceed to election about eight o'clock; whereupon, captain Fleming, and others, who (as ſome depoſe) had formerly moved the ſheriff for a further day, and had ſome hope given them of the ſame, did now move their requeſt, which the ſheriff denying to grant, in regard that day was the proper day (being the next county day after the writ received) captain Fleming, and divers other Iriſh freeholders, departed the houſe,

houſe, captain Fleming, publickly ſaying, that if the ſheriff meant to take that courſe, and give no further day, he might do what he would, for he and thoſe with him would have nothing to do with that buſineſs. The ſheriff proceeded, and by the greater number of freeholders then preſent, Sir Oliver Lambert and John Fiſhe, eſq; were elected knights; which done, captain Fleming, and others, who had departed, inſtantly entered, and preſented a paper ſignifying, that they had elected Richard Tirrell and Walter Talbot, knights; to whom the ſheriff anſwered, that the choice was already made; which, notwithſtanding, they cried, Tirrell and Talbot; and the others cried Lambert and Fiſhe, whom the ſheriff returned.

In the county of Down; it is agreed on all hands, that May day was the county day for election, which the ſheriff held at Newry, after ſufficient notice given; at which day, between eight and nine o'clock, the ſheriff proceeded to election, moved the freeholders to chooſe Sir Richard Wingfield and Sir James Hamilton, being recommended to him by the lord deputy. But the natives named Sir Arthur Magenis and Rowland Savage: whereupon, all the Britiſh freeholders, being 131 (as is depoſed) cried, Sir James Hamilton and Sir Hugh Montgomery, rejecting Sir Richard Wingfield; and the Iriſh, to the number of 101, cried, Sir Arthur Magenis and Rowland Savage. Exceptions being preſently taken to divers of the Britiſh free-

holders, who voted for Sir James Hamilton and Sir Hugh Montgomery, for want of freehold in ſome of them, fourteen of them were examined upon oath, and depoſed to their freeholds, upon which the two laſt named were returned, to which the Iriſh made objections before us, which we found to be partly untrue, and partly frivolous, not fit as we conceive, to be inſerted in our certificate.

In the king's county; on the 20th of April, the freeholders aſſembled at Phillipſtown, to elect knights; and ſome of the Iriſh having conſulted together the ſame morning, attended the ſheriff to the ſhire-houſe, between eight and nine o'clock; where the writ being read, Sir Francis Ruſhe and Sir Adam Loftus, were propounded by ſome of the freeholders, as the fitteſt men to be elected. But Philip O'Dugan delivered to the ſheriff two ſeveral liſts of names in paper, who, he ſaid, had given their voices for Sir John Mac Coughlan and Callagh O'Mulloy, whom they had choſen already, and they would have no other; and upon the delivery of the liſt, they cried out, Mac Coughlan and O'Molloy; the other ſide, to the number of ſixteen, gave their votes publickly for Sir Francis Ruſhe and Sir Adam Loftus; the under ſheriff received the papers, and made up the indenture for Mac Coughlan and O'Mulloy, having the greateſt number of names in the liſt, which indentures were accepted by the high ſheriff, yet notwithſtanding, he returned Sir Adam Loftus

and

and Sir Francis Ruſhe, alledging, that the greateſt number of voices given publickly, were more for them than for the other. In which proceeding, on the part of Mac Coughlan and O'Mulloy, we find this miſcarriage, that two gentlemen, whoſe names were returned in the liſt, upon the reading diſavowed the ſame, and ſubſcribed to the other part. Some other alſo confeſſed, he ſet his hand to the liſt after the election was done; and Sir Terence O'Dempſy being abſent, gave his voice by proxy to the ſaid Mac Coughlan and O'Mulloy; which O'Mulloy cannot ſpeak Engliſh.

In the county of Limerick; it is depoſed by divers witneſſes, that Sir Francis Barkely and Sir Thomas Browne, were choſen knights by the greateſt number of freeholders preſent, and accordingly, they were returned by the ſheriff: but on the other part, it was depoſed, that the greater number of freeholders gave their voices for Geoffry Galloway and Edward Fitz-Harris, againſt whoſe pretended election it was objected, that divers of the voters for them were not freeholders, for proof whereof, it was confeſſed, that there were a far greater number of perſons appearing as freeholders, that gave their voices for Galloway and Fitz-Harris, who were never enrolled or known to have freeholds for any other ſervice of the king; and it is alſo acknowledged, that ſome put their names to the indenture of that pretended election, who were not preſent; the difference of which election had

been determined by the ſheriff, had the polls been taken at the time of the choice, which (as was depoſed) he was required to do, but is denied by himſelf, and divers others, upon their oaths.

In the county of Fermanagh; the parties ſuppoſed to be elected, and not returned, were both ſent for, the one, Connor Roy Maguire (who can ſpeak no Engliſh) forbore to come; and the other, Donnol Maguire, being indicted the laſt aſſizes for treaſon, broke priſon, and hath betaken himſelf to the woods. Yet we, for our information, proceeded to the examination of witneſſes on both parts, and for any thing that appeared unto us, the ſheriff made a juſt return of Sir Henry Felixt and Sir John Davis. Concerning the force ſuppoſed to be uſed at the election, it is confeſſed upon oath, by Bryan Maguire, whoſe beard was ſaid to be pulled from his face, that captain Gower did ſhake him by the beard, but pulled no part of it away, nor did him any other hurt.

In the county of Tyrone; the only controverſy was, whether Sir Thomas Ridgway, returned by the ſheriff, or captain Tirlagh O'Neill, were choſen by the greater number of freeholders; and upon examination of witneſſes on both parts, it appeared, that the Britiſh freeholders, who voted for Sir Thomas Ridgway, were 34, whereof five (who were excepted againſt for want of freehold) were examined upon oath, and avowed themſelves freeholders; thoſe

thoſe for Tirlagh O'Neill (who cannot ſpeak Engliſh) were 28, and thoſe without exception.

In the county of Roſcommon; they find, that after Sir Oliver St. John, was elected for one of the knights, and the ſheriff proceeding to the choice of the ſecond, there were then named Sir John King, Charles O'Connor, and captain O'Kelly, and there being a difference in voices, and the company accordingly ſtanding, divided; it is depoſed by the ſheriff, and four of the antient juſtices of peace of the ſaid county, that Sir John King had a greater number of voices, than either O'Connor or O'Kelly, which O'Connor, then preſent, contradicted, but produced no witneſſes to juſtify his pretended election, although thereunto formerly required by us by letter; but he deſired another day, and named eight perſons, againſt whom the ſheriff then preſent, took no exception, by whoſe teſtimony he undertook to prove his allegation. Upon this ſecond appointment, he appeared and brought with him his whole number of witneſſes, ſpeaking   and among them there was but one of the eight firſt nominated; the reſt, as he ſaid, he could not procure to come, nevertheleſs, we took their examination, and ſeven of them depoſed, that O'Connor had the greater number of voices; and one depoſed, that upon numbering by poll in the houſe of election, there were more voices for Sir John King, than for the other. In this election, there appeared to us to be no fraud nor force; only the

vice preſident, and the ſheriff, having put out ſome horſe boys, and beginning to number the freeholders on either part, by the polls, the door was kept until that was done.

In the county of the city of Dublin; the ſheriffs were commanded by writ, dated the firſt of April laſt, that proclamation being made within the county of the city, of the day and place of holding the parliament, they ſhould make choice of two citizens, according to the form of the ſtatute. The ſheriffs by their warrant, dated the ſecond of April, writing the king's writ, commanded Sir James Carrol, knt. mayor of the city, to make choice, accordingly, the 20th of April after, the ſaid warrant made to the mayor, the ſheriffs held their firſt county court, at which, many of the recuſant citizens aſſembled, and perſuaded the ſheriffs, in the abſence, and without the privity of the mayor, to make choice of citizens to the parliament, promiſing them to ſave them harmleſs for ſo doing. Whereupon the ſheriff proceeded to election, and then Francis Taylor and Thomas Allen, two aldermen, were choſen without contradiction. The 27th of April, the mayor taking the firſt election to be void, about 10 o'clock of the forenoon, gave directions for proclamation to be made in ſeveral parts of the city, that at 2 o'clock of the afternoon of that day, he would proceed to election, at a place called Hoggin, near the city, and within the liberties of it, which was made accordingly; at which time

time and place, in a great aſſembly of the inhabitants, as well free as not free of the city, the mayor nominated Richard Bolton, recorder of the city, and Richard Barry, one of the aldermen, to be choſen. The adverſe party nominated the ſaid Taylor and Allen, formerly by them elected. The mayor remaining doubtful, whether ſide had the more voices, willed the company to divide, upon which the greater number ſeemed to the mayor (as he depoſed) to be for Bolton and Barry, and therefore, he returned them as elected, without numbering the polls, againſt which returns, three objections are made by Taylor and Allen: firſt, that the former election by the ſheriffs was good and lawful; then, conſequently, the ſecond void, which we leave to be decided, upon conſideration of the ſtatute 33 Hen. 8. ſeſſ. 2. cap. 1. in Ireland, and the ſtatute made in England, now in force in Ireland. Secondly, that the mayor proceeded to election before two o'clock, which was the time limited by the proclamation. Thirdly, that Taylor and Allen were then alſo elected by the greater number preſent; for deciding which two laſt queſtions, we examined the two ſheriffs, and thirteen on the part of the mayor, men of very good eſtate and account, who depoſed, that the election was made as they conceived, within the due time limited by the proclamation; and that the greater number then preſent, in their judgment, gave their voices for Bolton and Barry. On the other part, we

we examined fifteen others, ſome of them aldermen, who depoſed, that in their opinion, the election was made before two o'clock, and that the greater number, then preſent, gave their voices for Taylor and Allen.

In the town of Carlingford; there was a due proceeding in the election, and captain Roger Hope was choſen for one burgeſs, by the greater number of voices, without controverſy; and Marmaduke Witchuren, the other burgeſs, had as many voices as White or Merryman, who pretended to have been elected: whereupon, one of the bailiffs, and the deputy of the other, who was abſent, returned to the ſheriff, by indenture, the election of the two former.

In the town of Trim; the ſheriffs, after receipt of the precept for election of burgeſſes, on Friday the ninth of April, in an aſſembly of the townſmen, agreed, that the election ſhould be on Monday after, and Sir John Elliot, one of the barons of the exchequer, and Sir James Dillon, both burgeſſes, being ſent for upon the Friday, Elliot returned for anſwer the ſame night, that he could not be there on Monday: whereupon, the next day, being Saturday, between 9 and 10 o'clock, the portrieve, and divers of the chief of the borough, meeting at their uſual place on the bridge, appointed Tueſday for the election, and the ſerjeants of the town were commanded to warn all the inhabitants to be there upon that day, and to diſwarn them from coming on Monday, which was done; howbeit,

howbeit, Sir James Dillon, being a near dweller, a burgeſs, and a principal man there, coming to town on Monday, he, the portrieve, and ſome others of the borough, went together to the court-houſe; and the portrieve, notwithſtanding the former warning for Tueſday, commanded the ſerjeants to give warning to the townſmen to come inſtantly together for the choice of the burgeſſes, whereby the greater number of ſuch as were then preſent, were choſen Henry Gory and Anthony Cuſack. This proceeding being miſliked by Sir Thomas Aſhe, and ſome other of the burgeſſes that were not preſent, nor had warning for that day, the portrieve refuſed to ſeal the indenture of that election, but appointed another day for a new election, on which day Henry Gory, one of the formerly elected, having both before, and at that inſtant, ſhewed a deſire to relinquiſh his place, gave his voice for Sir Thomas Aſhe, who, with Sir Roger Jones, were by the greater number of burgeſſes and inhabitants then preſent, elected for burgeſſes, and returned by the portrieve to the ſheriff.

In the borough of Kildare; we find that Walter Fitz-Garret and Thomas Farbeck, were duly elected burgeſſes, notwithſtanding Walter White, ſovereign of the town, returned Gilbert Domvile and William Cooley, who were not elected.

In the town of Wicklow; we find that the ſheriff, after receipt of his writ, directed his warrant to Patrick Conway, then reputed portrieve

trieve of Wicklow, for chooſing burgeſſes to parliament; which warrant being delivered to the deputy conſtable, and by him to John Wolverſton, gent. the ſaid Wolverſton, in an aſſembly of the inhabitants which the portrieve had ſummoned together (as he depoſed) for no other purpoſe than to keep a court baron, moved the people, without the conſent of the portrieve, to proceed to election of burgeſſes to parliament; at which time the ſaid Wolverſton and one Robert Barnewell were choſen by the greater number; againſt which election it was objected, firſt, that the proceeding was without the conſent of the ſuppoſed portrieve; next, that the ſaid Conway was indeed no portrieve, for the town being no corporation before, nor enabled to ſend burgeſſes, was newly incorporated ſome few days before the writ of ſummons was ſent to the ſheriff, and in that charter Arthur Uſher, eſquire, was appointed portrieve by his majeſty, who was then abſent, ſo as that election being void, they proceeded orderly to a ſecond election on the firſt of May, where by the greater number of voices Sir William Uſher and Sir Laurence Eſmond, were choſen and returned by the lawful portrieve.

In the town of Cavan, the ſovereign and inhabitants aſſembled themſelves April the firſt, being the county day and the day of the choice of the knights of the ſhire for the county of Cavan, and without warrant or direction from the ſheriff

ſheriff elected Walter and Thomas Brady, two natives of that town, to ſerve as burgeſſes in parliament. Afterwards on the firſt of May, the ſheriff directed his warrant to the ſame ſovereign for the choice of burgeſſes, who on the third of the ſame month in the morning, ſummoned the inhabitants of the ſaid borough to be preſent at the ſeſſion-houſe for the choice of burgeſſes. The inhabitants the ſame morning aſſembled, (and as it was depoſed by divers in that town) the greater number then preſent gave their voices with the ſaid Walter and Thomas Brady, yet the ſovereign returned George Sexton and Hugh Culme to have been duly elected, who had fewer voices, if ſuch witneſſes ſwore truly. After the election made, Sir Oliver Lambert with a little walking-ſtick ſtruck George Brady, one of the inhabitants of that town, on the head, for uſing towards him ſome rude behaviour and giving him ſome unfitting ſpeeches, which is all the force that is proved to have been committed in that election, but his head was not broken.

3. Upon examination of many of the natives, it was confeſſed, that they agreed and reſolved not to chooſe any knights, citizens, and burgeſſes that repaired to church according to the laws and ſtatutes of the kingdom, and that the jeſuits and prieſts ſo directed and adviſed: this was a general combination of the natives in many parts of the kingdom, without any ſpecial author known to us; the reaſon of that conſpiracy was, for that they heard ſome laws were to be propounded at

this

this parliament concerning religion, or for the baniſhment of prieſts.

4. Upon the reſolution of the lords, knights, and burgeſſes to depart from parliament, the knights and burgeſſes of the Romiſh religion agreed and undertook to levy great ſums of money in every ſhire and borough for which they were elected, for the charges of their agents to be ſent into England to complain of the wrongs ſuppoſed to be done them in the proceedings of parliament, and other preſſures of the kingdom, which ſums amounted to above two thouſand pounds, as we conceive by ſundry examinations, but the certainty thereof we could not learn, for the collections and receipts of which money, divers lawyers, prieſts, and others were employed; and the people, incited by ſome prieſts to pay the portions impoſed upon them by threatening excommunication. It appeared alſo unto us both by letters of popiſh biſhops, whereof we ſaw ſome copies, and alſo by depoſitions of witneſſes, and certificates of ſome of the lords biſhops of the kingdom, that divers exactions were made and levied by authority of the Romiſh archbiſhops and provincials in the province of Munſter, and in many other parts of the kingdom; the which we ſay, that the prieſts do ſtill collect and cauſe to be collected, notwithſtanding the king's late proclamation againſt ſuch taxations and collections, the manner of theſe impoſitions were ſaid to be yearly as follows; namely of every married couple,

12 *d.*

12 *d.* of every perſon of twelve years of age 6 *d.* for every chriſtening and marrying, 2 *s.* 6 *d.* and 6 *d.* to the clerk; at every burying of any perſon of worth, the people yield offerings, which are dividable between the prieſts and the friars, and part for ſcholars breeding in ſeminaries beyond ſeas, and the prieſts alſo make collections at the keeping of the months minds of the deceaſed principal men and women, for the maintenance of three abbies in Munſter, the people pay yearly certain ridges of corn of all ſorts, with mutton, lambs, butter and ſuch like, the laſt year the friars of Kilcrea in Munſter had 140 muttons, 30 porks, beſides butter, eggs, and ſuch like victuals in great abundance, as we were informed by perſons of quality.

5. It did not appear to us by any direct proof that any of the parliament houſe procured petitions to be exhibited to themſelves complaining of undue elections or returns, but that the parties pretending to be choſen were incited to complain by the country, and the charges of ſome of them for coming up and attending at Dublin for that purpoſe, were borne by a voluntary contribution of the country collected without warrant.

6. The 18th of May being the firſt day of the parliament, the knights, citizens, and burgeſſes aſſembled in the lower houſe where Sir Thomas Ridgway, bart. and treaſurer at wars, moved them to elect the attorney general Sir John Davis, for ſpeaker, whom the king had recommended,

recommended, as he then ſignified: whereupon Sir James Gough, alledged, that ſuch as were returned to ſerve for the boroughs newly erected, and ſuch as were not reſident in the boroughs for which they were returned, were not lawful members; and therefore deſired thoſe queſtions ſhould be firſt examined and decided before the houſe proceeded to chooſe their ſpeaker, and being urged to deliver his opinion whom he thought fit to be ſpeaker, he nominated Sir John Everard, knight, which ſpeech of Sir James Gough was ſeconded by Sir Chriſtopher Nugent, and William Talbot the lawyer, who alledged, that they thought it fit to purge the houſe of ſuch members as were not lawfully called thither, before they proceeded to elect a ſpeaker; whereupon Sir Oliver St. John, knight, maſter of the ordnance, declared to the houſe, that they were firſt to chooſe a ſpeaker, and then to appoint a committee to decide all queſtions and controverſies, and nominated again Sir John Davis, for ſpeaker, with whom the greater number then preſent gave their voices, whilſt others cried Sir John Everard. For the deciding of the queſtion, who had the greater number of voices, Sir Oliver St. John, and all the reſt, who gave their voices with Sir John Davis, went forth into the outer houſe and cauſed the door to be locked, as the uſe is when the houſe is to be numbered, thoſe which cried Sir John Everard remaining ſtill in the houſe. This diviſion of the houſe being ſo made, Sir Thomas Ridg-

way,

way, and Sir Richard Wingfield, marſhal, moved Sir Chriſtopher Plunket, and Sir Richard Nugent, who gave their voices for Sir John Everard, to number the polls of them that were in the houſe; but they refuſing to join in numbering them, Sir Thomas Ridgway and Sir Richard Wingfield attempted to number thoſe in the houſe, from which they were hindered by the riſing of the parties out of their places, and joining together in ſeveral confuſed companies, then Sir Thomas Ridgway and Sir Richard Wingfield returned into the utter houſe, purpoſing to number thoſe who had given their voices for Sir John Davis, they that remained in the houſe cried an Everard, and placed him in the ſpeaker's chair; the which Sir Thomas Ridgway and Sir Richard Wingfield perceiving, willed thoſe that were preſent to paſs again into the houſe, and the one of them ſtanding on the one ſide of the door, and the other on the other ſide, numbered the polls as they came in, which were 127 beſides Sir John Davis himſelf (the intire number of the whole houſe, if they had all appeared being but 232) ſix whereof were abſent. So that it manifeſtly appeared that Sir John Davis was elected by the greater number then preſent: therefore Sir Thomas Ridgway required Sir John Everard to leave the chair to Sir John Davis, who was choſen by the greater number: yet Sir John Everard ſat ſtill in the chair, and refuſed to come forth: whereupon Sir Oliver St. John told Sir John Everard, that they ſhould

be inforced to pluck him forth, if he would not of himſelf remove. The ſaid Sir John Everard ſtill ſitting in the chair; Sir Thomas Ridgway, Sir Richard Wingfield, Sir Oliver St. John and others, brought Sir John Davis to the chair, and lifted him into Sir John Everard's lap; the knights perceiving Sir John Everard would not give place to their ſpeaker, they lifted Sir John Everard out of the chair, and ſome of Sir John Everard's part holding him by the collar of the gown to keep him in the chair, Sir John Everard's right leg was ſomewhat ſtrained (as he ſaid) being before infirm, but at that time he found not himſelf much hurt; and Sir John Davis being placed in the chair, Sir John Everard, and all who gave their voices with him, in number but 98, went forth into the utter houſe of parliament, and being required by the ſpeaker, and thoſe that remained in the houſe, to return into the houſe, they refuſed, William Talbot, the lawyer, publickly uſing words to this purpoſe: "You that are in the houſe, are no houſe; and "the ſpeaker, no ſpeaker; therefore we will "not join with you, but we will complain to the "king and the lord deputy;" and ſo departed the houſe. The parliament being adjourned to the Friday after, at which the lower houſe were to preſent their ſpeaker to the lord deputy; they being aſſembled, Sir John Everard, and all who had given their voices for him, did forbear to come to the houſe; the reſt of the houſe being

being the greater number of knights, citizens, and burgeſſes, preſented Sir John Davis, for their ſpeaker, to the lord deputy, who approved their choice. Of thoſe who gave their voices with Sir John Everard, only two could ſpeak no Engliſh.

7. The lord viſcount Mountgarett, the lords barons of Slane, Delvin, Killene, Trimelſton, Houth, and Cahir, being before us, do proteſt upon their honours, that the only motive of their departure from parliament, was, that they heard ſome of the lower houſe had withdrawn themſelves, and for the reaſons expreſſed in a petition directed from the lords and others of the nobility, to the lord deputy the 21ſt of May laſt, wherein they complained of the multitude of new corporations, undue elections and returns of knights and burgeſſes, drawing of forces in the city at that time, holding the parliament in the caſtle of Dublin, confuſion and diſorder in the lower houſe at the election of the ſpeaker, with divers other pretended abuſes of this kind particularly mentioned in the ſaid petition, and therefore excuſed their appearance afterwards in that place, being loth, as they alledged, to be actors or parties in the like proceedings, but that they were moved or perſuaded to this courſe by any perſon whomſoever, they do utterly deny; but did agree together for the reaſons aforeſaid, and in no other to abſent themſelves in this manner, and thereupon the greater part of them gave directions for drawing the petition

aforementioned to the lord deputy; yet do they not remember to whom they gave ſuch directions, nor who drew it, nor who brought it to them to ſign; and this is all we can gather touching them either by their confeſſions or by informations from others. For the commons who departed the lower houſe, having called before us Sir John Everard and twelve others of the principal of them nominated by himſelf from divers parts of the kingdom, they do affirm upon their oaths, that the diſorders in that houſe on the firſt day of parliament, at the election of the ſpeaker, cauſed them to apprehend a fear of ſome danger to their perſons, ſeeing ſo many ſword's-men in the houſe, and themſelves for the moſt part in gowns without weapons; and this, together with the proceedings they ſaw held in the election of the ſpeaker, before the houſe was purged of ſuch members as they ſuppoſed were unduly elected or returned, and ſo not capable of voice there, was then the only cauſe why they withdrew themſelves as they did, being (as they proteſt) an act proceeding from their own judgment, whereunto they were not moved or perſuaded by any other. But they now object againſt divers burgeſſes returned from the new corporations, that the ſaid corporations had no authority to chooſe them, their charter bearing date ſome time after the date of the commiſſion for holding the parliament, and ſome after the ſummons to parliament.

It

8. It appears by the confeſſion both of the lords, and alſo of ſome of the principal of the commons that withdrew themſelves from the parliament, that it was ordered by the lord deputy, that a committee of both houſes ſhould be choſen to examine the undue elections and falſe returns complained of, and they had notice thereof, but thought it not fit to accept of it, becauſe (as they conceived) they ſhould thereby acknowledge Sir John Davis to be lawful ſpeaker.

9. Upon an aſſembly of the citizens of Dublin for election of their citizens to the parliament, there happened ſuch difference and tumult between the free-men of the city and inhabitants of the ſame, that the mayor of the city, not able to pacify it, ſuddenly departed in fear, and made complaint thereof to the lord deputy and council, who examining the matter at the ſame time, committed ſome of the free-men for calling to ring the town bell in that aſſembly, which if it had happened, might (as was conceived) have cauſed an uproar in the city, where the lord deputy and ſtate are reſident. Upon this occaſion, the lord deputy foreſeeing that there would be an extraordinary number and concourſe of people to the city in the parliament time, and that if any great diſturbance or broile happened on the ſudden, he might want men to repreſs the ſame, having no forces but his ordinary guard, and the wardens of the caſtle of Dublin, his lordſhip cauſed one hundred ſoldiers to be drawn out of four ſeveral garriſons,

namely twenty-five out of every garriſon ; and theſe ſoldiers were reported to be four hundred, becauſe they came in four ſeveral companies to the city from ſeveral parts, and were ceſſed and lodged in ſeveral towns as is uſual in all journies, and there were not any more armed men drawn to the city in parliament time.

10. We have examined ſome of the lords and others upon this article, and we do not underſtand, that any of the lords, knights, citizens, or burgeſſes came to the town with any extraordinary number of men or followers, only the lord viſcount Gormanſton came to the city with one hundred horſe (as is confeſſed) whereof there were not twenty of his own retinue, the reſt were his friends and kinſmen that went out of Dublin to meet him, the rather becauſe his lady came in his company, but it is confeſſed there were great numbers of people in the town at that time, who (as they ſay) came from all parts to behold that aſſembly.

11. We cannot learn of any undue proceedings in parliament, other than are mentioned in this our certificate, ſaving that two burgeſſes were returned for the town of Clogher in the county of Tyrone, which town never ſent burgeſſes to parliament heretofore, for any thing appearing upon record ; neither have they any charter authorizing them ſo to do.

The

The commiſſioners return and certificate to the ſecond paper of inſtructions concerning the general grievances of the kingdom.

1. IMPRIMIS. By ſeveral certificates received from the lords archbiſhops and biſhops, the juſtices of aſſize and of the peace, and other magiſtrates and officers, and examination of ſome other perſons in this kingdom, it appeareth, that the laws in force for the maintenance and advancement of God's true religion, are in very few places put in due execution, in regard that in the counties and corporate rowns with great difficulty is to be found any jury that will preſent recuſants, themſelves being for the moſt part delinquents in the ſame kind, and where at any time heretofore they have preſented, they themſelves have been by their prieſts excommunicated, and ſo others terrified by their example; and in the city of Waterford which, is a county within itſelf; and where there are very few either of rhe magiſtrates, or of the people that are not obſtinate recuſants, ſuch are their late renewed charters and privileges as the juſtices of aſſize having no authority to hold their aſſizes there, the laws of religion cannot be executed.

Also that true religion is not by the natives of this country had in any regard and reverence, but rather wholly neglected and contemned; the principal reaſon whereof we collect to be the multitude of popiſh ſchoolmaſters, prieſts, friars, jeſuits, ſeminaries of the adverſe church authorized by the pope and his ſubordinates for every diocefs, eccleſiaſtical dignity, and living of value and note within this kingdom, who reſiding within the ſeveral dioceſes do with great vigilance and earneſtneſs continually execrate and diſſuade it.

The ſmall number, leſs ſufficience and little reſidence of the miniſters and preachers, that ſhould practiſe and preach it.

The much want and defect of churches in divers countries either wholly ruinated, or ſo far out of reparations that they are neither decent for the ſervice of God, nor fit for any aſſembly.

The juſtices of peace, ſheriffs, and officers of this kingdom of whom many are recuſants, who animate theſe people in their diſobedience.

The number of prieſts appeareth to be occaſioned by a continual fomentation out of the ſeminaries erected for the Iriſh in Spain and the low countries, and by the colleges of jeſuits, every of which colleges in the low countries inſtructs and indoctrinates two ſtudents of the Iriſh.

The defects of miniſters and preachers in the moſt parts of this kingdom grow out of the

want

want of livings wherewith to ſuſtain them, the reaſon thereof is partly certified to be the multitude of impropriations, and want of convenient endowments, which alſo appears to be a great cauſe of the decay and ruinous eſtate of the pariſh churches, in regard the ſaid owners and farmers of impropriations will not maintain the chancells, and by their example the people neglect the re-edifying and covering of the churches.

By the great favour and maintenance they find from the noblemen, gentlemen, citizens and men of worth of the natives, who continually harbour and maintain them, and by the long permitted impunity both to themſelves and their receivers.

The ordinary remedy for the redreſs of theſe overflowing evils, is, in our opinions, a reſolute and conſtant courſe to be held in execution of the laws in force for the maintenance of his majeſty's authority and juriſdiction in cauſes eccleſiaſtical, for compelling his ſubjects to attend the preaching of the word and hearing of divine ſervice, and puniſhment of the obſtinate contemners thereof, ſuppreſſing of popiſh ſchools, and eſtabliſhing of ſufficient and religious ſchoolmaſters, the due execution of eccleſiaſtical cenſures, the diligent viſitations of the reverend fathers of the church in weeding out the popiſh prieſts, and inſtead of idle and ſcandalous miniſters to place thoſe that are learned and painful, and ſuch as ſhall be reſident on their benefices, with ſome competent proviſion for them, who

will

will endeavour as well by their outward converſation as doctrine to enure the ignorant to the love of truth, and obedience to the government.

2. Upon our arrival in Dublin the 11th of September, we cauſed his majeſty's commiſſion and inſtructions to be enrolled, and preſently directed our letters to the governors of Munſter and Conaught, as alſo to divers lords, archbiſhops, and biſhops, and to ſeveral of the ſheriffs of counties and others, concerning the articles of the ſaid inſtructions, whereby our arrival and the cauſe of our employment was made known to the people in moſt parts of the kingdom. Yet during the ſpace of one month at the leaſt after our landing, no one petition was exhibited to us complaining of any grievances, nevertheleſs afterwards upon the coming over of the lord Killene and Sir Chriſtopher Plunket, two of the late petitioners to his majeſty, they exhibited unto us particular inſtances of oppreſſion and exactions by ſoldiers, provoſt marſhal and ſome others, ſpecially thoſe that reſide neareſt the ſtate, out of which particulars, being many, we ſelected three ſcore or thereabouts, as meeteſt to be examined, whereby we might diſcern what were the ſeveral kinds of the ſoldiers oppreſſions towards the people, for proof of which ſelected articles, divers days were aſſigned to them to produce their witneſſes, at which time ſome of the captains of horſe and foot, provoſt marſhals, and ſome of their ſoldiers were warned

ed to appear before us, and thereupon we proceeded in preſence of the lord Killene and Sir Chriſtopher Plunket, and ſome of the parties grieved, and we proceeded to a ſummary examination of thoſe diſorders; and by theſe examinations and by other means, it doth appear unto us, that the ſoldiers both horſe and foot, have extorted upon his majeſty's ſubjects in manner following: firſt, in all their journies and thorough-fairs, where, by their warrant from the lord deputy, they are commanded to take meat and drink in the country, paying ready money, or giving tickets for the ſame; the ſoldiers nevertheleſs for the moſt part, neither pay money nor give tickets as they ought to do; and in caſes where the collectors receive tickets for the payment of the country for victualling of ſoldiers, the collectors and ſometimes perſons authorized by the principal gentlemen of the country, do get theſe tickets into their hands, and obtain payment from his majeſty's treaſurer, and ſeldom make diſtribution thereof to the poorer ſort to whom it is due.

Secondly, the ſoldiers, where they are ceſſed, do extort money from the poorer people (beſides meat and drink) for every night's lodging three ſhillings for a horſe-man, and two ſhillings for a foot-man, ſometimes more and ſometimes leſs; and certain petty ſums are alſo taken for their boys and attendants, beſides victuals; and it happeneth ſometimes, that the ſoldiers that take ceſs, take money, as well for

themſelves

themſelves as for other ſoldiers abſent, which the country call *blackmen*, becauſe they are not ſeen; and ſometimes ſoldiers in pay, and others diſcharged out of pay, and divers vagrants in the name of ſoldiers, take meat and money of the people without warrant, or after the date of their warrant is expired in extortious manner, by two or three or more in a company. And in all theſe caſes, when the people have not money to pay them, they take divers times, forcibly, either ſome of their cattle, or ſome of their houſehold ſtuff for pawns in lieu thereof, whereby breach of peace and affrays are occaſioned.

Likewise the ſoldiers, although they be always enjoined by the lord deputy's warrant to paſs to and fro the direct way in their journies, yet do they ſometimes make a circular and long courſe in their thorough-fair, whereby they ceſs and hurt the people more days than is limited unto them, or is requiſite for their journey.

Also the ſoldiers in journies, being ceſſed in ſmall numbers in villages by the collectors, according to the ability of the places, they do ſometimes take money in the towns wherein they are aſſigned to take their lodgings and victuals, and depart the ſame and lodge themſelves without warrant near the ſame place, whereby the people bear a double charge.

Moreover it appeareth, that ſome officers of bands have taken monies of townſhips to forbear to ceſs upon them in their journies, and have ceſſed upon the towns not far diſtant from thence,

thence; and theſe exactions are committed by ſoldiers in counties where the compoſition in lieu of ceſs is paid, as in other places; wherein is to be obſerved, that by the tenor of the compoſition, the counties are to victual the ſoldiers in their paſſage at uſual rates; a matter reſerved for neceſſity of ſtate.

THE ſoldiers do not only commit theſe abuſes in their thorough-fares, but when they are ſent into the the country upon other employments.

THE provoſt-marſhal (whereof there is one at the leaſt in every province) have likewiſe certain men to attend him, who do exact victuals and money in their paſſage up and down the country from the people, and commit other diſorders as ſoldiers do; which extortions have been committed by the ſoldiers and the reſt of themſelves without any warrant at all, or connivance of any, ſo far as hath appeared unto us.

AND notwithſtanding the oppreſſions in theſe kinds are very many (as may be ſeen by their informations to us exhibited from divers parts of the kingdom) yet, for any thing appearing unto us, very few have complained thereof to the lord deputy; who upon their complaints hath given order for redreſs of ſuch grievances as hath been manifeſted unto us.

THE reaſons wherefore the people pretend to have forborne to make their complaints, is the fear they have had to be worſe uſed by the ſoldiers complained of at other times, and that the

the charges of the complaint would far have exceeded their damages and loſſes, although they cannot deny but the lord deputy hath given as eaſy acceſs and as ſpeedy remedy as hath been given by former governors.

The names of ſome few ſoldiers that are offenders in theſe kinds, and are yet in pay, appear in our examinations, others are dead or diſcharged, and in many of the complaints againſt ſoldiers, their names are not known to the parties, neither have the ſoldiers or others complained to us for want of pay by their captains, although ſome of them have been by us required publickly to deliver us their knowledge therein.

The means to prevent extortions and exactions of theſe and ſuch like, are, in our opinions, the due execution of the orders and directions given and proclaimed by the lord deputy and council, whereof we have copies from the lord deputy by him ſubſcribed, and alſo the care and diligence of upright, learned, and ſufficient judges, who in their ſeveral circuits and places will attend the complaints of the oppreſſed, and are able to diſcern of the wrong, and have courage to puniſh the offenders, and ſhall do right, if impediment be given to the ordinary proceedings againſt tranſgreſſions, except upon ſome extraordinary occaſion for his majeſty's ſervice, to be allowed and directed by the lord deputy for the time being.

3. THE carriage maſters and their miniſters are employed in general hoſtings, or at ſuch time as the lord deputy marcheth with the army, and we find little cauſe of complaint againſt them at this time. For that where former lord deputies had general hoſtings every ſecond or third year at leaſt, the lord deputy during theſe nine years hath not charged the country with general hoſtings above twice, the firſt for ſuppreſſing the traitor O'Dogherty, and the laſt for ſettling the plantation in Ulſter, wherein he ſhared the attendance of the nobility and gentry, that are bound by their tenures to attend at general hoſtings, and contented himſelf with ſeven hundred and twenty carriage-horſes for that journey, or thereabouts; where it appeared by ancient ordinance entered in the council book, that the five ſhires in the Engliſh pale are to yield at every general hoſting twelve hundred carriage-horſes at the leaſt, beſides the riſing out of the nobility and gentry, ſo as we find no oppreſſion in this kind, nor cauſe of complaint.

4. THERE be divers complaints againſt ſheriffs in general, namely, that ſundry ſheriffs have no freehold or habitation in the counties for which they ſerve, as they ought to have by the laws of the kingdom; alſo that divers of them have no ſettled eſtates of land or freehold in other places; and having gathered rents and other duties for his majeſty, they depart without paſſing their accounts, which appeareth to be true:

true: and the reaſon thereof is affirmed to be, that in the civileſt countries in the Engliſh pale, and in other counties within the kingdom, there are found very few proteſtants that are freeholders of quality fit to be ſheriffs, and that will take the oath of ſupremacy as by the laws they ought to do, and by the lord deputy's order no ſheriff is admitted till he enter into ſufficient bond for anſwering his accounts.

It is likewiſe a grievance complained of and found true, that many ſheriffs, eſpecially thoſe of the meaner ſort, do ſuffer their men, bailiff, and followers to take victuals of the country for themſelves without money, and ſometimes both money and victuals; and that in gathering in his majeſty's rents, and the fines for uſing the ſhort ploughs, and other impoſitions, as building of bridges, and ſuch like, they do take of the people, beſides the principal duties twelve pence in the pound, and ſometimes greater ſums for their private uſes, for which the ſheriffs give no reaſon, but that the ſame is taken towards their charges in collecting thoſe duties, in regard of the little benefit which their office otherwiſe yieldeth.

For prevention of which extortions, and others of the like nature, the lord deputy hath made and publiſhed certain orders heretofore, whereof the copies are ready to be preſented, together with the care and diligence of his majeſty's judges in their ſeveral circuits, in puniſhing the offenders, will prevent (as we conceive) the like enormities hereafter.

5. There

5. There was an act of council made in the year 1606, reſtraining the uſe of that barbarous cuſtom of drawing ploughs and carriages by horſes tails, upon pain of forfeiting for the firſt year's offence, one garron, for the ſecond, two, and for the third, the whole team. Notwithſtanding, this was not put in execution for almoſt five years after; and yet the fault not amended, until that in the year 1611, captain Paul Gore, demanding ſeven or eight ſcore pounds, due unto him from his majeſty for pay of certain ſoldiers entertained by him upon the lord deputy's warrant, did for that and other extraordinary ſervices in the time of O Dogherty's rebellion, deſire the benefit of this penalty for one year, in one or two counties, and no more; which the lord deputy was contented to grant, limiting him to ten ſhillings Iriſh for each plough ſo offending. In the year 1612, the lord deputy gave order to have the penalty levied within the whole province of Ulſter, after the rate of ten ſhillings Engliſh upon every plough drawn as aforeſaid; and the monies ſo raiſed, amounting to 870*l.* were applied to publick uſes, as appeareth by an account ready to be ſhewn, both of the collection, and of the employment of the ſaid monies, under the hands of divers of thoſe gentlemen unto whom the lord deputy committed the ſame in the year 1613. The penalty of ten ſhillings Engliſh upon a plough hath been taken up to the uſe of Sir William Uvedall, upon whom his majeſty hath beſtowed it, being

paſſed unto him by letters patent, with reſervation of 100 *l.* Iriſh yearly rent to his majeſty; the profit whereof this year already confeſſed to be received, by thoſe authorized by Sir William Uvedall, within the province of Ulſter is 800 *l.* ſterling or thereabouts, although we are informed the charge impoſed upon the people is much more; and we find that other collections this year have been made of thoſe fines in the province of Conaught, and in ſome counties of the pale, but without the lord deputy's warrant; neither can we diſcover what the fines ſo collected amount unto.

And albeit divers of the natives do pretend a neceſſity of continuing the ſaid manner of ploughing, as more fit for ſtoney and mountainy grounds, yet, in our opinions, we think it not fit to be continued, being generally condemned by the Engliſh inhabiting in thoſe parts, for an uncivil and unprofitable cuſtom.

6. We find it a matter of much difficulty, and uncertain to diſcover the extortions of clerks in their ſeveral places, in reſpect their offices are changed, and that very few of the judges or clerks, from whom knowledge is to be had of theſe things, have been of any long continuance in their places. Yet thus much have appeared unto us, that in his majeſty's court of exchequer, which court is moſt complained of for the innovation and exaction of fees, ſome new offices, not known to be uſed in this exchequer for theſe ſixty years paſt at the leaſt, are lately erected, with

with new fees from his majeſty, whereby an annual charge is increaſed to the crown, and the ſubjects compelled to pay more fees, and attend more offices than they were accuſtomed to do, ſo, as in ſome particular caſes, the fees of clerks do increaſe to a greater ſum than the duties paid to his majeſty, and ſheriffs cannot paſs their accounts without double the charge their predeceſſors heretofore uſed to pay; many clerks of courts do ſeek to make their fees equal both in number and value with the fees paid to like officers in England, which ſeemeth heavy to the ſubjects of this kingdom, being generally of much leſs ability. For ſome redreſs herein, we have given directions to the clerks in his majeſty's four courts, the clerks in the ſtar-chamber, clerks of the council, clerks of the crown, and to the officers of the two provinces of Munſter and Conaught, to certify us in particular the nature of their fees, and the quality thereof in every kind, and they have made certificate unto us, under their hands, of their ſeveral fees, which we have ready to preſent, to the end, if his majeſty pleaſe to give redreſs therein, it may be conſidered and certified by his judges in the ſeveral courts, and others whom it may concern, and by the ſeveral clerks reſpectively, what fees are taken in England in the like caſes, and afterwards their certificates may be tranſmitted back into Ireland, and upon review by the lord deputy, and the ſeveral judges there, may be eſtabliſhed and publiſhed, which the people do much deſire.

 7. THE

7. The enormities aforementioned are the moſt notorious grievances in this kingdom, and we have not received information of any other worthy to be certified herein to his majeſty.

8, 9, 10. The new plantation intended in the county of Wexford in the province of Leinſter, is to be made in the two baronies of Gowrie, and Ballakenny, and in the half barony of Skerriewalſhe, which contain, as they are eſtimated by ſurvey, about 66800 acres of land, and certain tracts of wood, boggy land and mountain, all lying together in one continent, betwixt the river of Slane on the ſouth, the river of Arklow north, the ſea on the eaſt, and the bounds of the counties of Catherlough and Kildare on the weſt, whereof the profits and occupation have been for many years in the ſeveral ſepts of the Cavenaghs, Kinſaloghes, Mac-Saddoes, Mac-de-Amoores, and Murroughs, and other of the Iriſh ſepts, and to ſome of ancient Engliſh, that not long ſince obtained part of thoſe lands from the Iriſh. The poſſeſſioners claimed and pretended to hold theſe lands as their freehold by deſcent, after the cuſtom of Iriſh gavel-kind, and have been impanelled ſince the king's time on juries as freeholders, whereof the number preſented to be freeholders, and who offered their ſurrenders, were 440, or thereabouts, as appeareth by the books delivered to us for ſurrenders, but now affirmed by the natives to be 667, of which fourteen had letters patent for part of their lands from the crown; all which countries yielded yearly

yearly to his majeſty in rents and compoſitions only 179*l.* 3*s.* 4*d.* beſides 90*l.* yearly, which Sir Richard Maſterſon, knt. had anciently granted him, and 20*l.* yearly, which Walter Synnot had in lieu of Iriſh chiefries to them granted by the crown, by ſeveral letters patent, upon evidence given at the exchequer bar in a trial betwixt the ſaid Richard Maſterſon and one of the ſept of the Cavenagh's, in the term of Eaſter, and in the ſeventh year of his highneſs's reign, ſome overture was made for a title to his majeſty to theſe lands, after which, and before the ſaid title was made known to the lord deputy and commiſſioners, ſuch as claimed to be freeholders obtained from the commiſſioners of ſurrenders, orders, according to the uſual form, for their ſeveral ſurrenders, and for effecting thereof, procured out three ſeveral commiſſions to the king's eſcheators and others, to inquire what lands and tenements they hold either by deſcent or taniſtry, and thereupon to accept their ſurrenders. Upon two of which commiſſions, nothing was done, but upon the third commiſſion, directed to his majeſty's ſaid eſcheator, and others the commiſſioners, on the 27th of January 1609, received the ſeveral ſurrenders of all ſuch as then claimed to be freeholders within thoſe limits, of all their lands, tenements, and hereditaments, comprized and ſpecified in two ſeveral books then delivered to the eſcheator; the which ſurrenders the eſcheator confeſſeth he did ſhew to the lord deputy and ſome other the commiſſioners for ſurrenders,

ſitting upon the commiſſion; but for that the time by proclamation limitted for the natives to proceed with their ſurrenders, was then paſt, the eſcheator was by the commiſſioners willed to retain and keep the ſurrenders, and not to make return thereof, until his majeſty's pleaſure was further known; for that the king's learned council affirmed, they had diſcovered a good title for the king to all thoſe lands, and that the commiſſion warranted not them to accept thoſe ſurrenders; according to which direction, the eſcheator detained ſtill the commiſſion, ſurrenders, and books not returned; after which the lord deputy, anno 1610, certified his majeſty and ſome of this privy council in England, of his highneſs's title, and that the natives offered to ſurrender, and to take new eſtates upon the commiſſion of ſurrenders and defective titles; and thereupon ſeveral directions were given his lordſhip for the proceeding unto plantation; as by his majeſty's letters, and letters from ſome of his privy council doth appear. After which his lordſhip reſolved on a project for the diviſion and plantation of thoſe countries, whereof he hath ſent to his highneſs by us a copy, ſubſcribed by his lordſhip; ſince which, on the 27th of July 1611, his lordſhip ſent Sir Laurence Eſmond, knt. Sir Edward Fiſher, knt. William Parſons, eſq; Nicholas Kenny, eſq; his majeſty's ſurveyor and eſcheator, to make known to the inhabitants of thoſe countries, that nothing was intended unto them by that plantation but good; for albeit

beit the whole country was the king's to diſpoſe of, yet he was pleaſed to accept of their ſurrenders, and to repaſs to ſuch as were fit-worthy and fit to be made freeholders, convenient portions in fee ſimple, at reaſonable rents, and to others of the inferior ſort, competent portions for lives and years; and that the civilizing of the country was the chief thing aimed at, with ſome increaſe of revenue to the king; and that if any man would be obſtinate, and oppoſe againſt the general good intended, they ſhould have juſtice, which is the benefit of ſubjects, but were to look for no favour.

ACCORDING to theſe directions, the ſaid commiſſioners treated with the inhabitants and divers of the principal of theſe pretended freeholders yielded to accept the lord deputy's offers, and by ſeveral writings dated in Auguſt in the ninth year of his highneſs's reign, did give up and ſurrender their lands to his majeſty, upon hope to have re-granted to them convenient portions in the new plantation; his lordſhip thereupon aſſigned unto 57 of the natives, to be divided into ſeveral portions, 35210 acres, to be granted in fee ſimple, which 57 were, by a jury of that country, preſented to be the fitteſt men in thoſe limits to be made freeholders. The particulars of theſe proportions, together with the names of thoſe natives are herein after expreſſed, of which 35210 acres were aſſigned to the ſaid Sir Richard Maſterſon, 10169 whereof for his ſaid chiefries, 2120, the reſidue, for his land in

the Morrough's country. Of the natives which agreed to the new plantation, 16 of them accepted eſtates of their proportions from Sir Richard Cooke, Sir Laurence Eſmond, Sir Edward Fiſher, knights, the firſt patentees made of that country in truſt. Of theſe 57 natives, 21 are ſtill to retain their ancient houſes and habitations, with their grounds adjoining. Some of their lands lying remote from them, being laid to the new undertakers, proportions are to be taken from them, in lieu whereof, ſome allowances are to be made of lands lying nearer their dwellings, with which they are not contented; for that they are not ſufficiently recompenſed for the lands taken from them, as they affirm. To the reſidue, which claim to be freeholders, being for the moſt part poſſeſſed of but ſmall portions, no allowance of land or recompence is aſſigned or given; but all they, in number 390, or thereabouts, and all the reſidue of the inhabitants, tenants and cottiers, eſtimated to be 14500 men, women and children, may be removed at the will of the patentees, which notwithſtanding, few are yet removed, and it is offered by the new undertakers, as formerly by the lord deputy it was appointed, that all thoſe to whom no portions by this new diviſion are aſſigned, and all the under-tenants inhabiting within their proportions, may if they will reſide and dwell in thoſe countries as tenants to the Engliſh and native undertakers, without removing of any but ſuch as dwell on thoſe grounds,

which

which the patentees ſhall uſe for their neceſſary demeſnes to their caſtles and houſes; and that they will be bound to let and ſet to thoſe natives that want proportions, lands at eaſy rates and rents, as they held them before, all rents, charges, and exactions being conſidered which they paid to his majeſty, Sir Richard Maſterſon, Walter Synnot, and others. The proceedings againſt the natives have been in this manner; in June 1611, upon motion of the king's learned council, a writ of ſeizure was awarded out of the court of chancery, to take into his majeſty's hands all the ſaid lands and tenements, which was grounded upon ſome ancient records remaining in that court, mentioned in the inquiſition hereafter ſpecified, which was returned and executed by the ſheriff, but no further proceedings thereupon. After which a commiſſion under the great ſeal of Ireland, was directed to the lord biſhop of Ferns, Sir Thomas Colclough, knt. Sir Dudley Loftus, knt. John Beere, eſq; his majeſty's ſerjeant at law, William Parſons and Nicholas Kenny, his majeſty's ſurveyor and eſcheator, to inquire of his majeſty's title to thoſe lands. The commiſſioners on the 26th of November 1611, met at Wexford for the execution of the ſaid commiſſion, where after divers adjournments until the 4th of December, the jury then offered their verdict of *ignoramus* to the king's title, the which the commiſſioners refuſed to accept, and bound the jury over to appear before them in the exchequer court the

Thurſday

Thurſday ſe'nnight next following; but the jury, upon their petition to the lord deputy, had their appearance reſpited until the 18th of January then next enſuing, at which day the jury appeared in the exchequer before the ſaid commiſſioners, and Sir John Denham, knt. then lord chief baron, Sir Francis Aungier, knt. maſter of the rolls, baron Haſſet and juſtice Lowther, aſſociated by commiſſion to the former commiſſioners. After long time ſpent in the evidence on both parts, eleven of that jury agreed to find his majeſty's title, but five others of them refuſed to join with thoſe eleven in that verdict, who were by the commiſſioners committed then to priſon, and after cenſured in the caſtle chamber for refuſing to join with their fellows to find his majeſty's title, according to their evidence, and the reſt of the jury diſcharged. Then the court of exchequer directed a writ to the ſheriff of Wexford, to ſummon a jury to appear at the exchequer bar in Hillary term next following, for the ſaid inquiry. The ſheriffs returned Sir Thomas Colclough, one of the former commiſſioners, and thoſe eleven of the former jury, that had agreed to find his majeſty's title, and ſome others; which eleven ſo formerly ſworn with Sir Thomas Colclough and John Murchoe, now a patentee in the new plantation, found an inquiſition to this effect, the copy whereof we are ready to ſhew, namely, That upon the ſubmiſſion of Art-mac-Murrough, and Malloch O Murrough, the chief of their ſepts, and David Moore

Moore and Manus Mac Gerrald of the Kinſelloughs, and divers others of the Iriſh unto king Richard the ſecond, by indentures dated the 7th of January in the 12th year of the reign of the ſame king, the ſaid parties did covenant with Thomas earl of Nottingham, then marſhal of England, and deputy of this kingdom, that they and every of them, before the firſt Sunday in Lent then next following, would relinquiſh and ſurrender to the ſaid king the full poſſeſſion of all the lands, tenements, caſtles, woods, forts, and paſtures, with their appurtenances, which by them, and all others of the Kinſallogh's, and every of them, their companions, men or adherents, late were occupied within the province of Leinſter in Ireland. *Sine aliquo retinement ſibi reſervato, ſui reſervando quocunque modo, ſine dolo, et abſque fraude*, their moveable goods only excepted, and that they before the ſaid day would leave the ſaid whole country of Leinſter to the true obedience, uſe, and diſpoſition of the ſaid king, his heirs and ſucceſſors; and that the ſaid earl, on the part of the king, covenanted, that theſe chief men and their ſoldiers, or men of war, during their lives, ſhall have pay in the king's wars, and ſhould enjoy to them and their heirs, all ſuch lands as they ſhould conquer from any rebels in that kingdom. The ſaid earl alſo agreed, that the king ſhould grant to Art. mac-Murrough, the chief of the Cavenaghs, a yearly annuity of eighty marks, and reſtore to him his wife's inheritance in the county of Kildare,

dare, which annuity was paid divers years, as appears by ſome records: they alſo find, that on the twelfth of February next enſuing a commiſſion was granted unto the ſaid earl marſhall, to receive the homage of Mac Murrough, and all the Iriſh of Leinſter, and to take their homages and ſubmiſſions, which was done; and to diſtribute the lands of the chieftains, and men of war, which were to depart, to others of the king's ſubjects. They further found, that on the twenty-eighth of April then following, king Richard the ſecond granted to Sir John Beaumont, knt. and his heirs, all and ſingular the caſtles, manors, lands, tenements and hereditaments, within the metes and bounds following, namely, from the bank of the water of Slane, on the part of the ſouth, unto the black water of Arklow, of the part of the north, and from the main ſea on the eaſt, unto the bounds of the counties of Katherlough and Kildare, on the part of the weſt (excepting the lands of the earl of Ormond, if he had any within thoſe bounds) to be holden by knight ſervice in *capite*; and that the ſaid Sir John Beaumont, by virtue of theſe letters patents, was ſeized of all the lands within theſe meares (except the earl of Ormond's lands, Roche's lands, Synnott's lands, Wadding's lands, the lands of the biſhop of Ferns, advowſons of churches, and ſome other things in the ſaid inquiſition excepted) and that the ſaid Sir John Beaumont died thereof ſeized, and that after his death the ſame lands (except before ex-

cepted)

cepted) deſcended to Henry Beaumont, his ſon and heir, who 1 Hen. 5. died thereof ſo ſeized; and that all the premiſes (except before excepted) deſcended to John Beaumont, his ſon and heir, being an infant, after whoſe death an office was found accordingly, and livery uſed, by which it appeareth, that ſeven manors, namely, Farringmall, O Felmigh, Shermall, Lymalagoughe, Shelala, Gory and Dipps, were all the lands and dominions within thoſe meares and bounds, which were granted by virtue of that office, ſeized into the king's hands, and ſo remained until the ſaid John Beaumont ſued his livery the third of September, 13 Hen. 6. and that the ſaid John Beaumont, the ſeventh of Auguſt, 24 Hen. 6. made a warrant of attorney to John Cornwaleys, chief baron of the exchequer, and John Townley, eſq; to let and ſet his lands within theſe meares and bounds, and all other his lands in Ireland, and that he thereof died ſeized (except before excepted) and had iſſue two ſons, John the eldeſt, and William the ſecond, both viſcounts, and one daughter named Joan, which two ſons died without iſſue of their bodies; and that the ſaid Joan their ſiſter was heir to William who laſt died, and was married to John lord viſcount Lovell of Titchmarche, and that they had iſſue Francis viſcount Lovell, attainted of treaſon by act of parliament in England, 1 Hen. 7. and confirmed in Ireland; by which acts, all his lands in England and Ireland were veſted into the actual and real poſſeſſion of the crown, and ſo

ſo deſcended by meſne deſcents, to queen Elizabeth (except before excepted) her majeſty after granted the manor of Dipps to the earl of Ormond, and the manor of Shelala to Sir Henry Harrington; and that the reſt (except before excepted) deſcended to our ſovereign lord the king, as by the copy of the ſaid office and inquiſition ready to be ſhewed, doth appear. On the twelfth of February, in the ninth year of his majeſty's reign, upon motion of his majeſty's council, before any patent granted of theſe lands, it was ordered by the court of chancery, that ſuch as ſhould be patentees from the king, ſhould be put into poſſeſſion by injunction out of that court, without further motion, of all thoſe lands within theſe meares and bounds, when the ſame ſhall be granted, and the ſheriff to continue them in poſſeſſion from time to time, in which order the king's title and the ſeizure is expreſſed; after which, the ſaid inquiſition ſo found at the exchequer bar, was tranſmitted into the chancery, and then ſeveral patents granted of ſeveral portions as followeth; namely, to Sir Richard Cooke, knt. his majeſty's ſecretary, 1500 acres: to Sir Laurence Eſmond, knt. ſervitor, and a native of Wexford, 1500 acres; to Sir Edward Fiſher, knt. a ſervitor, 1500 acres; to Francis Blundell, eſq; 1000 acres; to Conway Brady, the queen's footman, 600 acres; to Nicholas Kenny, eſcheator, 500 acres; to William Parſons, ſurveyor, 1000 acres; to Sir Roger Jones, knight, 1000 acres; to Sir James

James Carroll, knt. the king's remembrancer in the exchequer, 1000 acres; to John Wingfield, eſq; a ſervitor, 1000 acres; to Sir Adam Loftus, knt. 1000 acres; to Sir Robert Jacob, knt. his majeſty's ſollicitor, 1000 acres; to Fergus Greemes 300 acres; to Sir Rich. Wingfield, knt. marſhal of the army, 1000 acres; to William Marwood, deputy remembrancer, 1000 acres; to John Loghorn, eſq; 1000 acres; to Francis Blondell, eſq; 1000 acres; to capt. Trevillian and capt. Forteſcue, 2000 acres; to Thomas Hibbots, eſq; 1000 acres; in all 19900 acres.

PROPORTIONS of the antient poſſeſſioners, how many acres they formerly enjoyed, and how many are aſſigned to them in the plot of the new plantation; and which of them had formerly patents from the crown.

ANTIENT.	Acres.	NEWLY ASSIGNED.
Sir Richard Maſterſon	7060	Whereof, native lands 3800, crown lands 2800, by colation of patent 460, — Aſſigned him for his chiefries 2409 acres.
Michael Synnot	300	240 of his former poſſeſſions.
Dowlin Mac Bryen, patent Morgan Mac Bryen, patent Edward Mac Dowlin, patent Dowlin Mac Morrough	2800	2400 removed.
Griffin, *alias* Green Mac Donnel, patent	350	200 of his former poſſeſſions.
Walter Plunket	350	300 of his former poſſeſſions.

ANCIENT.	Acres.	NEWLY ASSIGNED.
Donnel Spaniagh, patent	400	300 of his former poſſeſſions, beſides 320 by former patents.
Patrick Peppard	1400	1252 whereof his former poſſeſſions, about 700 acres, a place taken from him, wherein he had laid proviſion to build.
Dermod Cune	100	100 to hold his former poſſeſſions.
Captain Dennis Vale	400	900 whereof formerly 400.
Walter Synnot	1969	1967 whereof formerly 1567, and for his rents newly added 2120.
James Synnot	865	865 whereof formerly 567.
John Synnot Fitz Richard	545	605 whereof formerly 545.
John Fitz Pierce	556	410 whereof formerly 360.
Jaſper Synnot	975	730 whereof formerly 390.
Robert Codd	960	840 of his former poſſeſſions.
John Malone	486	486 of his former poſſeſſions.

ANCIENT.	Acres.	NEWLY ASSIGNED.
Henry Fitz Pierce	340	240 of his former poſſeſſions.
William Fitz Walter Synnot	120	240 whereof 120 of his former poſſeſ.
Donnol Vally	525	370 whereof former 229.
Teig Mac Art	330	220 whereof formerly 133.
Patrick Walſh	126	126 removed.
Teig O Bulger	120	120 his former poſſeſſions.
Ferdoragh Mac Dermot	382	240 removed.
George O Murchoe	200	160 of his former poſſeſſions.
Donnel O Doran	480	300 of his former poſſeſſions.
Phelix Mc Dermot (patent)	565	1206 removed.
Morrough Macpharſon	250	204 removed.
Gerrard Mac James	160	120 removed.
Phelem Mac da Moore	240	200 removed.
Redmond Mac da Moore	240	200 removed.
Tirlagh Mac Moriertagh } Donnogh Mac Moriertagh } Donnell Mac Moriertagh }	400	300 removed.

Owny

ANTIENT.	Acres.	NEWLY ASSIGNED.
Owny Mac Hugh, Ballagh Mac Dermot	300	300 removed.
John Eſmond	100	100 removed.
Callogh Macbragh	120	100 removed.
Francis Waſſer	200	187 removed.
Donnel Mac Donnogh Enteſkin	196	208 whereof formerly 80.
Owen Mac Gerrald	200	127 removed.
Anthony Briſket	120	120 removed.
Edmond Duff Mac Dermot	206	120 removed.
Owen Mac Hugh, Ballagh Mac Donoug Oge	450	300 removed.
Donnogh Oge	120	60 removed.
John Brazil	120	166 removed.
Mr. Browne	840	840 removed.
Nicholas Netterville	500	500 former poſſeſſions,
Thomas Mac Keogh	200	200 ———.

Richard

ANCIENT.	Acres.	NEWLY ASSIGNED.
Richard Cromwell, patentee	300	300 former poſſeſſions.
Henry Walſh	220	130 of his former poſſeſſions.
Sir Henry Wallop	1040	1100 whereof formerly 1040.
Patrick Eſmond	400	500
John Murchoe	—	700
Art Mac Dermot	1200	1000 removed, but this 1000 not yet ſet out.

Edmond Mac Art and Richard Mac Art, patentees, have no allowance in this new plantation for the lands taken from them.

There are within the limits aforeſaid, more than the ſaid proportions, about 12000 acres, not yet granted, intended to be paſſed to martial men, who are to build upon the borders and faſtneſſes, but cannot, until ſome of the patentees be removed unto the lands aſſigned them. The names of theſe martial men are, captain Dorrington, captain Meares, captain Pikeman, captain Cawell, captain Ackland, captain Henry Fiſher, lieutenant John Fiſher, lieutenant Burroughs, Mr. Gillet, Mr. Waldrond, lieutenant Stratford, Mr. Sherlock, Mr. Haſhwell.

After the before mentioned patents granted, the ſaid patentees this ſeventh of May laſt, obtained ſeveral injunctions to the ſheriff of Wexford, to put and continue them in their ſeveral portions of lands ſpecified in their patents, which the ſheriff accordingly performed, and did break open the doors of ſuch as reſiſted, and turned them out; yet notwithſtanding, upon ſubmiſſion, divers of them were permitted to return to their houſes again, and in harveſt laſt the ſaid ſheriff, by warrant from the lord deputy, was aſſiſted by the bailiffs of the new patentees, to take up the fourth ſheaf of their corn for the Michaelmas rent, in regard they were then to pay the King's rent; which fourth ſheaf the patentees ſtill detain, the natives being allowed to take the reſt to their own uſe. Many ſuch of the natives as formerly agreed to this new plantation, now abſolutely diſlike thereof, and of their proportions aſſigned them in lieu of their other poſſeſſions taken from them, for that, as they af-

firm, their proportions aſſigned are not ſo many acres as they are rated to them, and becauſe the acres taken from them are far more in number than they be ſurveyed at, which difference cannot be decided without a new ſurvey, which ſome of the natives deſire. All the ancient poſſeſſioners of the Engliſh race, and divers of the Iriſh, have been always faithful to the crown of England: but moſt of the Iriſh were bebels in the time of the great rebellion of Tyrone. Several of thoſe to whom proportions are aſſigned, are of the ſepts of the Cavenaghs and Murroughs, which held land in theſe limits before; Walter Synnot, Patrick Peppard, and Art Mac Dermot, offer for themſelves and the reſt of the countries, that they will pay ſuch rents, and perform the buildings and covenants to the king's majeſty, that theſe new undertakers are to perform; but they do altogether refuſe to repay to the undertakers their charges diſburſed about this plantation, which are rated at 3000 *l.* Every undertaker of 1500 acres is to build a caſtle or ſtone houſe of 30 feet in length, 24 in breadth, and 30 feet high, beſides the battlements. Every undertaker of 1000 acres is to build a caſtle or ſtone houſe of 24 feet ſquare, and 30 feet high, beſides the battlements; and every undertaker of 500 acres is to build a ſtrong bawne of lime and ſtone, theſe buildings to be made within four years after the patentees have quiet poſſeſſion. The yearly rent reſerved to the king, is five pounds for every thouſand acres granted the Engliſh, and ſix pounds ſix ſhillings and eight-

eight-pence for every thouſand acres granted to the natives, except for thoſe lands aſſigned to Sir Richard Maſterſon and Walter Synnot, in lieu of their rents and chiefries out of the whole.

The rents yearly reſerved and to be reſerved to his majeſty, if the plantation proceed, will be 426*l.* 18*s.* 10*d.* $\frac{1}{4}$, and the country is diſcharged of the rents and chiefries granted to Sir Richard Maſterſon and Synnot, which are 210*l.* *per annum.*

Signed and ſealed by

Arthur Chicheſter. Humphrey Winche.
Charles Cornwaleys. Roger Wilberham.
George Calvert.

At Dublin, anno 1613.

A Note of the Lords and Recuſants in the Houſes of parliament, that were the principal diſturbers of the ſame.

LORDS.

Viſcount Gormanſtown.

Forwardeſt in delivering petitions, conteſting, when he ſhould attend the deputy to church, his miſbehaviour to the deputy at the time of the powder treaſon, his contention with the lord Barrye, in preſence of the lord deputy.

Viſcount Roach.

Forward in delivering petitions, preſent at all conſultations.

Lord of Delvin.

Aſſiſting at all conſultations, deſigning, turbulent, and unmindful of all his majeſty's great favours towards him.

Lord of Trimleſtown.

Buſy and violent.

Lord of Slane.

Buſy and violent.

KNIGHTS.

Sir Walter Butler.

Chief in putting Sir John Everard into the ſpeaker's chair, and in preferring the firſt ſlanderous petition againſt the houſe; his behaviour in Kilkenny, when that town was in rebellion againſt the king.

Sir Daniel Bryan. Sir William Bourke.

The holding Sir John Everard in the ſpeaker's chair, and reſiſting thoſe that were putting the ſpeaker into the chair.

Sir Gerald Nugent.

Buſy, and one of the preferrers of the firſt ſlanderous petitions againſt the houſe.

Sir John Everard.

Unlawfully uſurping the ſpeaker's chair, contending when he was adviſed and prayed to come out of it, holding himſelf as ſpeaker of the houſe.

Sir

Sir Chriſtopher Plunket.

A chief ringleader and countenancer of the firſt diſobedience; namely, Sir John Everard to the lord deputy to be ſpeaker.

Sir Chriſtopher Nugent.

Another ringleader, and countenancer of the firſt diſobedience; a procurer of others to diſturb the parliament by falſe informations.

Sir Thomas Bourke.

Buſy in maintaining Sir John Everard in the ſpeaker's chair, and reſiſting thoſe that were placing the rightful ſpeaker in it.

Sir James Gough.

Buſy and forward in diſturbing the parliament by ſpeech and writings.

John More.

Cloſe and ill diſpoſed.

Mr. Talbot.

Their chief oracle for law; in the head of the petition he termed the houſe no houſe, and the ſpeaker no ſpeaker.

Richard Wadding.

A known malicious papiſt, undutiful ſpeaker to Sir Nicholas Walſh, buſy in the parliament, a man excommunicated, and therefore deprived of his mayoralty for refuſing the oath of ſupremacy.

Boetius Clancy.

Buſy and forward in delivering two petitions.

Thomas Luttrell.

Turbulent and ſeditious in the houſe, preferring a petition to the lord deputy in an undutiful

ful manner; uttering diſloyal words, as it were in the power of him and his revolted company, to judge of what members the king was ſerved, to the houſe, and what not; his undutiful behaviour, and ſeditious compariſon with my lord Thomond, in the preſence of my lord deputy.

The examination of Shane Mc Phelomy O Donnelly, taken before me Sir Toby Caulfielde, knt. October 22, 1613.

SHane Mc Phelomy O Donnelly ſaith, That about the end of May laſt paſt, upon the Sunday, he was at maſs at the Glynn in Bryan Mc Gwyres country, between the county of Fermanagh and Tyrone, where Tirlaugh Mc Crodden, a fryer there, lately come from beyond ſeas, ſaid the maſs, and was preaching moſt part of the ſame day; and in his ſermon he declared, that he was ſent from the pope, to perſuade them that they ſhould never alter their religion, but take the pope to be their true head, and rather to go into rebellion than to change their religion; and that the Engliſh ſervice proceeded from the ſeducement of the devil, and did earneſtly exhort them, upon pain of damnation, to ſtand on their keeping, rather than alter their religion. At which maſs there were aſſembled (as he thinketh) 1000 people all of Fermanagh except himſelf and one Shane Roe O Quinn, ſon to Cale O Quinn, who accompanied Neale Mc Tirlaugh, Nuis O Neale of the Largye;

Largye; which Neale Mc Tirlaugh, upon theſe ſpeeches uttered by the fryer ſpake aloud, ſaying, God be thanked, we heard this maſs, and God be bleſſed, ſuch a one as you came amongſt us, to give us this council; for our parts, we will rather go into rebellion, and be eaten with dogs and cats, rather than go to the Engliſh ſervice, to hear the devil's words. And the ſaid Shane Roe O Quinn ſaid the very ſame words after him. And the fryer had at that day given him at the leaſt 200 cows and garrons. This examinant, and one Dowaltagh O Donnelly and Neal O Flanigan, were preſent, and will juſtify as much as is here ſet down. He further ſaith, that the fryer told them, that the parliament was coming, and that it was a thing invented on purpoſe to cozen them, and to bring them from their religion, and earneſtly exhorted them not to be led thereby, but ſtand faſt and join together, and that God was on their ſide; and that there was certain money impoſed for the expences of men gone into England for the cauſe of religion, and the charges of the knights of the ſhires, 4*d.* on every couple. He exhorted them to pay it willingly and ſpeedily; it was God's buſineſs they went about. He told them, that the cattle which they had given him, was for the maintenance of fryers beyond ſeas, and that the pope would be highly pleaſed with the gifts they beſtowed to ſo godly purpoſes. And further ſaith, that he vehemently exhorted them not to be afraid of any thing, for Tyrone was coming,

coming, therefore willed them to be merry, and of good courage: and for the Engliſh, they were to have nó rule nor power over them, but for two years. And further ſaid, that he found by his reading in books at Rome, a prophecy, that the Engliſh ſhould ſurceaſe their rule in Ireland, when a bridge was built over the river at Liffer; and that the king of Spain had 18000 men in arms ready to come over, whereof Tyrone ſhould be the chief; and that they ſhould come within a year and a quarter, and land at four ports in Ireland, the names whereof this examinant hath forgot, and would overthrow the Engliſh, and have Ireland to himſelf. This deponent ſaith, that the money, 4*d.* a couple, is gathered by the ſheriff's bailiffs in the county of Fermanagh. All theſe ſpeeches were uttered by the ſaid fryer Tirlaugh Mc Croddyn openly in his ſermon, and that Connor Roe Mc Gwyre and Bryan Mc Coghonett Mc Gwyre, were preſent from the firſt to the laſt.

Toby Caulfield.

11 October, anno 1613, he preached the like again.

As

As the following inſtrument is not to be found in Engliſh, in any of the writers of thoſe times, I have thought proper to tranſcribe it, as it is to be found in fol. 245 of Philip O'Sullivan's catholick hiſtory in Latin, printed at Liſbon.

Ibernorum obteſtatio non deſerendi catholicam fidem.

Obteſtatio,

DUBIUM nemini videtur eſſe, qui gentis Iberni mores, & educationem vel mediocriter cognoſcat, quin hæc gens fuerit ſemper, & animo conſtante, firmoque venerata, & exterioribus documentis quam apertiſſimis profeſſa ſolam illam religionem, quam pulſis quondam gentilitatis tenebris, in primævo chriſtiane lucis exordio recepit. Ita quamvis varietate temporum, fortunæque viciſſitudine tempeſtuoſi, infeſtique fluctus, & invaſiones exterarum gentium, ut Danorum, Normandiorum, Norvegiorum, & aliorum hanc inſulam devaſtaverint, remque publicam noſtram labefactaverint; non tamen hujus ſacræ religionis noſtri cœleſtem ſplendorem extinguere, divinumque imbrem exſiccare valuerunt; eſt quippe (quod nos firmiter credimus) hæc religio patris eterni imperio, ſpirituſque ſancti conſilio conſtituta, noſtriſque pectoribus inſita ſumma Chriſti ſervatoris providentia. Quamobrem nec perſuaſionibus ullis, nec

nec vi unquam potuimus deduci, ut ab illa, vel latum unguem diſcederemus. Ut vero vetuſtiſſimam hanc majorum noſtrorum conſuetudinem prætereamus, ad remque propius accedamus, etiam cum ob Henrici octavi regis divortium (quod nulla, vel temporis diuturnitate, vel hominum oblivione poteſt obliterari) ingens opinionum diſſenſio circa graves fidei quæſtiones fuit orta, nihilominus tunc in tanta novorum dogmatum perturbatione, quanta ſententiarum repugnantia novitas caput ceperit tollere, monumentis parlamenti tunc temporis habiti in hac urbe memoratur. Quod, quamvis non nihil auxilii, patrociniique nobis afferat ad tuendam noſtra preſentis aſſeverationis, equitatem, eo quoque ſuperſedebimus, quod minus ad rem pertinere videatur.

Non tamen hoc loci involuemus ſilencio nonnullas machinationes ſumma diligentia tentatas, nec minore induſtria diu continuatas, quæ nos diverſuræ a priſtina mente credebantur. Imprimis vel aſpectus conſtitutionis ab ultima Regina latæ ſufficiens videbatur, ut pleroſque noſtrum, inquiſitionis, mulctæ, carceris horrore perterreret, atque conſternaret. At nullo modo potuit animos noſtros, quemadmodum ſperabatur, a priſtino ſenſu ſubducere. Ac itaque ſecundo principatus ejuſdem Reginæ anno edicta prodierunt ad incutiendum recuſantibus metum, executioni minime mandata in oblivionem abiverunt. Denique ubi dulcedine pacatæ clementiæ, & humanitatis præſentis noſtri Regis frui ſperabamus,

mus, cum illum omnibus Chriſtianis principibus conciliatum videamus, utque lætemur; cum noſtra tamen religione non fœdus ici, ſed bellum geri a proteſtantibus eccleſiaſticis dolemus. Hic enim, & alii non infini præfecti, juſtitiæque miniſtri ſtatuta jamdudum oblivione ſopita excitantes, ſubditos novis imperatis, mulctis, coercitionibus, magniſque gravaminibus incredibiliter vexant, & redigunt, ad ingentem paupertatem, quibus tamen omnibus nequaquam a noſtra religione disjungimur. Quo circa novi afflictionum cumuli contra nos, liberos noſtros, vitam, libertatem, exiſtimationem, atque fortunas accreſcunt, filiis noſtris ſtudiis, & eruditione externorum gymnaſſiorum interdicitur, nationis noſtræ nobilitas, & claritudo exiſtimatione fœdata omnibus hujus reipublicæ honoribus abdicatur, quod uſque adeo verum obtinet, ut ne judicibus quidem pacis nobis liceat eſſe non aliam ob cauſam, quam propter fidem noſtram, quam nos quidem deferere non poſſumus. Civitatum & oppidorum prefecturæ civibus adimuntur, quod novis dogmatibus aſſentiri nolunt. Cauſidici juriſque periti munere dejiciuntur, quod iis renuunt aſſidere. Etiam opifices, & fabri ſunt experti crudelem vindictam, excommunicationem, pœnam, & alia ſexcenta mala. Cæterum hæc omnia minime nos deterruerunt a fide noſtra, quam (Deo duce) ſemper a nobis colendam eſſe devovemus, preſtaturi tamen omne obſequium noſtro ſupremo regi Jacobo debitum ſine adulatione, fuco, inſidiis, & conſpiratione contra ejus coronam, & ſceptrum.

ITAQUE

Itaque omnibus his pœnarum, inopiæ, opprobrii, carceris, interitus cruciatibus nequaquam in rebus conſcientiæ, inconſtantiores, aut infirmiores ſumus. Verum opes, facultateſque noſtræ nimium diminutæ ſunt. Propter conjugatos iſtos, atque proletarios clericos, prefectos, & miniſtros ingens in republica eſt orta perturbatio: varia incommoda in rerum commercio ſequuntur: humanæ vitæ ſocietati magna moleſtia infertur: noſmet ipſi præda abjectis, atque ſordidis hominibus, qui ſuccum, & dulcedinem noſtrorum laborum hauſerunt, ſumus facti.

Quæ omnia obedienter proponimus excellentiſſimo proregi, conſilioque reputanda: ab eodemque petimus, ut de illis faciat Regem certiorem nomine noſtro, qui referimus hujus regni perſonam, corpus, atque rempublicam: quamque difficile ſit, ſeu potius quam fieri nequeat, ut nos ab opinione noſtra vetuſtiſſima dimoveamur; quam fixum, atque deliberatum nobis ſit, retinere, & colere priſcam noſtram fidem, & religionem, quam veriſimile ſit imposterum fore inutile tam crudeliter nobiſcum agere. Neque enim tantus rigor alio tendit, niſi, ut veteres incolæ extinguantur, perdantur, deleantur; eorum facultates conſumantur, frangantur immunitates, odium provocetur, pariatur ſeditio, & regno denique excidium, & interitus afferatur.

Qui quidem effectus, ſeu potius defectus juſtis legibus adverſanter namque, ſi is verus, & proprius præclara adminiſtrationis fructus habetur (ſicuti revera debet haberi) ut reſpublica, populuſque

luſque in pace, quiete, tranquilitate, & proſperitate ſuſtineatur juxta ſalubrium legum rectitudinem, equa ſemper habita ratione ſervandæ ſubjectorum ſalutis, a qua principis etiam ſalus, & gloria pendet, ut in hunc finem regia providentia roget, & abroget leges rationi maxime conſentaneum videtur, ita ut populus non conſtituatur propter leges conſervandas, ſed leges condantur propter ſalutem populi defendendam juxta ingenioſam illam regiæ mageſtatis epigraphen inſcriptam in illo optimo numiſmate nuper excuſo, poſtquam duo regna inter ſe conciliata gaudent Magnæ Britanniæ nomine. Salus populi ſuprema lex eſto. Quo ſignificatur pacis conſervationem, & populi ſalutem bonarum legum eſſe principium, & finem. Ac nos quidem congregati ſumus in hoc parlamentum diverſæ gentes. Alii ſumus Iberni ortu ſimul, & genere; alii ortu tantum, non genere; alii contra genere, non ortu; alii denique neutro, nec genere, nec ortu, ſed habitatione. Quæ differentiæ generis ortus, habitationis, morum ingenii ita ſaltem conveniunt, & conſentiunt omnes, ut uni ſupremo principi obediant, ſeque ſubmittant. Neque enim diffidendum eſt, poſſe indubitatam obſervantiam, & obedientiam conſiſtere cum diverſitate religionum, quantum ad noſtram vetuſtiſſimam attinet. Quemadmodum enim naturale corpus compoſitum multis heterogeneis, & diſſimilibus, partibus, carne, oſſibus cartibagine, muſculis, nerviſque, una duntaxat perficitur, movetur & gubernatur forma naturali,

 animante

animante ſcilicet ſpiritu partibus omnibus imperante: ita ſimiliter politicum hujus reipublicæ corpus conſtans diverſis nationibus in religionis idæa, & forma tempeſtate hac diſcrepantibus poteſt regi una civilis obedientiæ minime fictæ forma ſub uno regii diadematis ſceptro decoratum, & auctum. Et quoad profeſſionem noſtram longe conſultius eſſe videtur ferre hanc religionum varietatem ſine inobedientiæ periculo, donec idoneum tempus fuerit oblatum, quo perturbatio ſedetur, & repugnant earum ſectarum aſſertores ad aliam mentem reſtituantur, quam conſtantiam noſtram ſatis probatam duriſſime verberare. Que quo magis oppugnata fuerit, eo illuſtrior, & firmior erga Deum, & principem apparebit. Que cumita ſint, ſeu rerum adminiſtrandarum rationem ſpectes, ſeu regiæ providentiæ regulas contempleris, ſanum (ni nos quidem fallimur) conſilium eſt, ut cum ſubjectis, qui tendice tot temporalium afflictionum cumulis obruti non potuerunt ad indebitam iſtam concordiam flecti, deinceps ſuavius, & moderatius agatur: nec iidem diutius opprimantur edictis quotidianorum gravaminum odioſiſſimis. Qua tamen mitigatione minime obſtante, ſatis vexabuntur ſubſidio, & obſequio regiæ mageſtatis benignitati in omni occaſione ſatisfacere conantes, tum debitum reddendo, tum grati animi ſignificationem præbendo. Hunc animi noſtri ſenſum, hocque conſilium pandere ſubacti ſumus hujus inclytæ curiæ privilegio, libertate, qua in ea de rebus ſentire debemus, ingenteque ſpe rurſus amice habendi parlamentum

parlamentum cum cæteris noſtris collegio, & ſenatoribus.

A true declaration of the proteſtants of what paſſed the day before the beginning of the parliament, the firſt day of the parliament, and the Friday following, in the lower houſe of parliament in Dublin, 1614.

UPON the ſeventeenth of May, being the day before the return of the writs of ſummons for this preſent parliament and the laſt day of Eaſter term, the lord deputy being informed that divers perſons were like to intrude themſelves into the houſe of commons which were not returned either as knights, or burgeſſes of the parliament; to prevent all ſuch diſorders, and the inconvenience that might enſue thereupon, did firſt in the forenoon of the ſame day, cauſe proclamation to be made in all the king's courts at Dublin, that all ſuch as know themſelves to be returned for knights, citizens, or burgeſſes of this parliament, ſhould about three of the clock in the afternoon of the ſame day, attend his lordſhip and the council in the caſtle of Dublin, at which time the greateſt part of thoſe which were returned, gave their attendance accordingly, and hereupon the lord deputy and council taking their ſeats in the open court of the caſtle of Dublin, cauſed the clerk of the crown of the chancery, into whoſe office

 all

all the writs of ſummons were returned to bring a book of the names of all ſuch as were returned as knights, citizens, or burgeſſes for this parliament, and hereupon to call by name all ſuch as were returned, which being done accordingly, his lordſhip took a view and ſpecial notice of every particular perſon then appearing, and immediately cauſed ſolemn proclamation to be made, that none ſhould preſume to come into the houſe of the commons but ſuch as were returned as aforeſaid. The next day being the eighteenth of May, and the firſt day of the parliament, the knights, citizens, and burgeſſes being all together aſſembled in a wide room, between the upper houſe and the lower houſe of parliament, and the lord deputy with the lords ſpiritual and temporal being ſet in the upper houſe, before his lordſhip would admit the commons to enter into the upper houſe to hear the lord chancellor's ſpeech, cauſed them all to be called again by the clerk of the crown's book, and thereupon as many as did appear were admitted to come into the upper houſe, where the lord chancellor's ſpeech, touching the calling of this parliament, being ended, the lord deputy himſelf alſo ſpoke unto them, and willed them, that they ſhould repair into the commons houſe and there make choice of their ſpeaker, whom his lordſhip would have to be preſented unto him upon the Friday then next following; and withal his lordſhip did intimate unto them, that his majeſty had by his letters required him to recom-

commend to their election a gentleman ſufficient, in his majeſty's opinion, to diſcharge that place, and whom his lordſhip himſelf would have recommended to that place if his majeſty had left the nomination to him; howbeit his lordſhip did not then name the gentleman, but ſaid that ſome of the privy council were members of that houſe, knew his majeſty's pleaſure in that behalf, and left it to them to name him when they ſhould be aſſembled to elect a ſpeaker. According to that direction, they immediately departed into the houſe of the commons of purpoſe to make choice of the ſpeaker, where having all taken their places and ſitting quietly ſome convenient ſpace of time, Sir Thomas Ridgway, knight and baronet, his majeſty's vice-treaſurer and treaſurer at wars, and one of his highneſs's privy council of this realm, roſe up, and after ſome expreſſion of his joy to behold ſo great an aſſembly of ſo many worthy knights and gentlemen in a parliament in this kingdom, declared that the firſt thing they were to do was to chooſe a ſpeaker, and having expreſſed at large with what gifts and abilities the perſon fit for that place ſhould be qualified, named Sir John Davis, knight, his majeſty's attorney general for this kingdom, being one of his highneſs's ſerjeants at law in the kingdom of England, to be the fitteſt perſon, in his excellency's opinion, to ſupply that place, and ſignified withal, that he was the man whom the lord deputy had intimated unto them to have him recom-

mended to their election by his majeſty, who was to approve or diſapprove the perſon elected; which ſpeech being ended, the greateſt part of the houſe with a general acclamation gave their voices for Sir John Davis; hereupon Sir James Gough, knight, ſtept out of his place diſorderly into the middle of the houſe, and offered to make a ſpeech there, but being willed by the houſe to go back into his place and there deliver what he had to ſay, he made a ſpeech nothing pertinent to the matter then in queſtion, which was the election of a ſpeaker, but alledged that ſuch perſons as were returned for the boroughs newly erected, and ſuch others as were not reſident and dwelling in the boroughs for which they were returned, were not members of the houſe, and therefore thought it fit that that matter ſhould firſt be examined and decided before the houſe proceeded to the election of a ſpeaker, but concluded nothing to the point in queſtion, until being demanded for whom he gave his voice, he named Sir John Everard, who was ſometimes one of the juſtices of the king's bench, but being an obſtinate recuſant, was by his majeſty's ſpecial direction depoſed and put from the place. This ſpeech was ſeconded firſt by Sir Chriſtopher Nugent, and then by one William Talbot (who was ſometimes recorder of Dublin, but diſplaced for refuſing to take the oath of his majeſty's ſupremacy) who both ſpoke to one effect, and moved the houſe, that before they proceeded to an election of a ſpeaker they would purge the

the houſe of ſuch members as were not lawfully called thither; then Sir Oliver St. John, maſter of the ordnance, and one of his majeſty's privy council here, roſe up, and told the houſe, that he had been a member of the houſe of commons in ſundry parliaments in England, and that by his experience he knew them to be choſen, and that afterwards the houſe ſhould nominate a ſelect number of committees to examine all queſtions ariſing upon the returns of ſheriffs, and therefore he ſaid, that though that motion of the gentleman who ſpoke laſt was juſt and reaſonable if it had been made in due time, yet that the houſe muſt firſt make choice of their ſpeaker before they could nominate the committees; but that after the ſpeaker ſhould be choſen and committees appointed, all queſtions that could be made upon the returns of ſheriffs, ſhould be examined and decided to their full contentment and ſatisfaction. And then approving what was firſt ſpoken in commendation of Sir John Davis, touching his fitneſs to ſupply the place of a ſpeaker, and adding ſomewhat thereunto, gave his voice for him, whereupon there was a confuſed acclamation in the houſe, ſome naming Sir John Davis and others Sir John Everard, yet by thoſe few that named Sir John Everard there was nothing ſaid in commendation of him, and to the intent there might not be any more time ſpent in unneceſſary and impertinent motions, Sir Oliver St. John alſo added theſe words, " Gentlemen, the uſe of parliament is to decide

 " con-

" controverſies by queſtions, and queſtions by " numbering of voices, and for tryal thereof, " I know by experience, that they who are of " the affirmative part, are to go out of the houſe " to be numbered, and to leave thoſe that are " of the negative part to be numbered within " the houſe," and therefore to bring this controverſy to the true point of tryal, he ſaid, " all " you that would have Sir John Davis to be " ſpeaker, come with me out of the houſe," and immediately thereupon Sir Oliver St. John, and all the reſt that gave their voices for Sir John Davis (which were the greater number) and all proteſtants, went into the next room appointed for the diviſion of the houſe, to the end that thoſe that remained within and thoſe that went out might be ſeverally numbered. The diviſion of the houſe being thus made, Mr Treaſurer and Mr. Marſhal, being two of the number that went out of the houſe, did move Sir Chriſtopher Plunket and Sir Chriſtopher Nugent, being within the houſe, to join with them in numbering, both which they utterly refuſed to do, knowing the number that gave their voices for Sir John Davis to be the greater; then did Mr. Treaſurer and Mr. Marſhall make offer to number them that were in the houſe, which they perceiving, roſe up out of their places, and gathered themſelves together in a lump, to the end they might not be numbered; then Mr. Treaſurer and Mr. Marſhal paſſing again out of the door, to the end they might number thoſe

without,

without, the door was ſuddenly ſhut after them, and inſtantly thoſe that were within, not purſuing the firſt propoſal of purging the houſe, before they made a ſpeaker, cried, "An Everard, an Everard," and intruded Sir John Everard into the ſpeaker's chair; this unexpected noiſe cauſed Mr. Treaſurer and Mr. Marſhall to open the door, and perceiving what was done, they reſolved to number thoſe that were without, and for that end ſtanding the one on the one ſide of the door, and the other on the other ſide, willed thoſe that were without, to paſs into the houſe again, and ſo numbered them by the poll, as they came in, with a loud voice; and the number of them which were without, and gave their voices for Sir John Davis, was one hundred twenty and ſeven, whereby it was manifeſt that Sir John Davis had the greater number of voices; for that the entire number of the houſe, if all had appeared, is but two hundred and thirty two, and of thoſe there were ſix that did not appear, whereof two were recuſants, and four proteſtants.

Therefore, becauſe it was ſo apparent, as no man could contradict it, that Sir John Davis was choſen ſpeaker by the greater number of them that were returned knights and burgeſſes into that houſe, Mr. Treaſurer ſpoke in reproof of that great contempt, and diſorder committed by intruding Sir John Everard into the ſpeaker's chair, being not elected by the greater number of voices; and thereupon firſt declaring that the voices

voices given to Sir John Davis were 127, which were by much the greater number of the houſe, with fair and gentle terms required Sir John Davis ſpeaker, duly choſen, might be placed therein; nevertheleſs, Sir John Everard ſat ſtill, and refuſed to come forth. Then Sir Oliver St. John ſpoke to the ſame effect, and added withal, that if he would not come out, they which had elected Sir John Davis ſhould be enforced to pluck him out, notwithſtanding he ſat ſtill; whereupon Mr. Treaſurer and Mr. Marſhall, gentlemen of the beſt quality, took Sir John Davis by the arms, and lifted him from the ground, and placed him in the chair upon Sir John Everard's lap, requiring him ſtill to come forth of the chair, which he obſtinately refuſing, Mr. Treaſurer, the maſter of the ordnance, and others, whoſe places were next the chair, laid their hands gently upon him, and removed him out of the chair, and placed Sir John Davis quietly therein; thereupon Sir John Everard, and all the reſt who gave their voices for him (being in number fourſcore and eighteen, and no more, all recuſants) in contentious manner departed out of the houſe, in the void room appointed for the diviſion, where they remained, becauſe the outer door of the houſe was ſhut, which was by direction of the houſe when they firſt ſat. Then Sir John Blenerhaſſet, and Mr. Beere the king's ſerjeant, were ſent by the houſe to require Sir John Everard and the reſt to return into the houſe, who having delivered their meſſage,

meſſage, brought back an anſwer, that Sir John Everard, and the reſt that were with him, would not join with thoſe that elected Sir John Davis to be ſpeaker, but appeal to the lord deputy.

THEN Mr. Treaſurer and Henry Poor addreſſed themſelves from the houſe, to know the cauſe why Sir John Everard, and the reſt that were without, would not return and join with the greater number that were within, and they having likewiſe delivered their meſſage, made report to the houſe, that William Talbot the lawyer made anſwer for himſelf and all the reſt, in theſe words: "Thoſe within the houſe are no houſe, and the ſpeaker no ſpeaker of the houſe; but we are the houſe, and Sir John Everard is our ſpeaker; and therefore we will not join with you, but we will complain to my lord deputy and the king; and the king ſhall hear of this." And after ſome pauſe and ſilence in the houſe, the ſpeaker ſitting in the chair, began a ſpeech to the houſe, declaring, as the manner in his diſability and unwillingneſs to accept the place, &c. in the midſt of which ſpeech, Sir William Bourke and Sir Chriſtopher Nugent came into the houſe, without any reverence, and interrupted the ſpeaker, calling for the keys of the outer door; and being commanded by the ſpeaker to take their places, they contemptuouſly refuſed ſo to do; and in the like irreverent manner went out of the houſe again; and then the other door being opened, Sir John Everard, and all that party, departed out of the caſtle, affirming, they would not return to the houſe any more.

And this, in effect, is all that paſſed in the commons houſe the firſt day, being the 18th of May.

Upon the Friday following, which was the day appointed by the lord deputy, for preſenting the ſpeaker, the ſpeaker and the reſt being that day in number 130, whereof fourteen are of the privy council of this realm, came and ſat in the houſe of the commons, about nine of the clook in the forenoon, expecting to be called into the upper houſe, there to preſent their ſpeaker.

And ſhortly after they were ſat, the lord deputy ſent a meſſage to the houſe, requiring that Mr. Marſhall and the maſter of the ordnance might be ſent unto his lordſhip from the houſe, who being ſent accordingly, and preſenting themſelves before his lordſhip, and all the lords being then in their parliament robes, and ready to go to the upper houſe, his lordſhip told them that William Talbot the lawyer, and others of that party, who were departed from the greater number of the houſe, had been with his lordſhip; and that his lordſhip had required him to let the reſt of that party know, that it was his lordſhip's expreſs pleaſure, that they ſhould all forthwith repair to the houſe of the commons, to join with the reſt in preſenting the ſpeaker; and that Talbot had deſired reſpite of one hour to bring his lordſhip an anſwer; nevertheleſs, his lordſhip having better adviſed of the ſhortneſs of the time, had reſolved to enlarge that

time

time until three of the clock in the afternoon; and in the mean time, his lordſhip thought it fit, that the houſe of the commons ſhould ſend their ſerjeant at arms, to ſummon all thoſe that had ſeparated themſelves from the greater number of the houſe, to come to the houſe at the hour of three of the clock, and to join all together in preſenting the ſpeaker.

Mr. Marshall and the maſter of the ordnance, returning with this meſſage from his lordſhip, the houſe ſent him back again with this anſwer, that they and their ſpeaker would attend his lordſhip at the hour appointed, but they humbly deſired to be excuſed for ſending their ſerjeant at arms unto them, becauſe they had addreſſed themſelves unto his lordſhip: and hereupon the houſe roſe, and returned again at three of the clock in the afternoon, at which time, neither Sir John Everard, nor any other of that party did appear; and ſo the reſt being the proteſtants and the greater party, preſented Sir John Davis their ſpeaker, unto the lord deputy, ſitting in the upper houſe with the lords.

Whereupon his lordſhip did firſt demand of all the commons who preſented Sir John Davis, whether they were the greater number of the houſe, and whether they were all agreed that Sir John Davis ſhould be their ſpeaker, who anſwered, with one voice, that they were the greater number, and that they had all agreed that Sir John Davis ſhould be their ſpeaker. Whereupon, after the ſpeaker had made a modeſt ſpeech,

ſpeech, in diſabling of himſelf (as the manner is) his lordſhip gave his conſent and approbation of that election; and then the ſpeaker made a larger ſpeech touching parliaments and common councils, and eſpecially touching the former parliaments holden in this kingdom; and then, by way of compariſon, did ſhew how much this parliament did exceed all the former parliaments, as well in reſpect of the felicity of the time wherein it is called, as of the number and worthineſs of the perſons that are called unto it. And this is the effect of that which was done the ſecond day of ſitting, being Friday the 21ſt of this preſent month of May.

Barnaby Brian. Tho. Ridgway. Richard Wingfield. Oliver St. John. Ol. Lambert. Hen. Power. Fran. Ruſhe. Fran. Barkley. Ro. Digby. Toby Caulfield. Ad. Loftus. Garett Moore. John King. John Bingham. Chriſtopher Sibthorp. Blener Haſſett. Thomas Beare. Robt. Jacob. Da. Becke. Henry Foliett. William Uſher. Richard Boyle. Tho. Rotheram. Edw. Blayney. Rog. Jones. John Bourcher. Arth. Baſſett. Fran. Anneſley. Edw. Moore. Faithful Forteſcue. John Vaughan. Hen. Pierce. Edw. Skory. Geo. Sexton. Geo. Carey. Maurice Griffith. Hugh Culme. Tho. Bellott. John Hamelton. Richard St. John. William Crofton.

A brief

A brief relation of the paſſages in the parliament ſummoned in Ireland anno 1613.

IRELAND ſtanding in the ſtate it doth, it is worthy the conſideration to examine, upon probabilities, what is like to enſue, and to provide timely remedies againſt future events; for the face of this parliament now prorogued, threatens enſuing miſchiefs.

THE occaſion of the diſtemper which now appears to be in the natives of that realm, is not as a muſhroom of a night's growth, but rooted in their hearts for many years paſt.

IN the latter end of queen Elizabeth's reign they were no leſs obſtinate in the Romiſh religion than at this preſent, as did appear in all the paſt rebellions; but how many years promiſing a hope of change (as they conceived) adviſed a wiſer ſort to patience, and to cover their ill affections, until no hopes were left.

SINCE his majeſty's happy reign over us, they have unmaſked themſelves, and by an unanime conſent in one, to leave no means unſought to work their ends, taking unuſual and undutiful courſes to effect the ſame.

UPON the firſt report of queen Elizabeth's death, the citizens of Waterford, Cork and Limerick, &c. took arms, baniſhed the miniſters out of their towns, and in their rooms maſſing prieſts were placed, divers of his majeſty's good ſervants

ſervants and ſubjects impriſoned, officers of the army and of juſtice contemptuouſly uſed, the magazines of ammunitions and victuals ſeized upon, and converted to their own uſe, forts razed, ſundry of his majeſty's ſoldiers ſlain; and to be brief, nothing was left undone, what in their malice and weakneſs they were able to effect. But this ſtorm (as ſoon as the lord deputy preſented himſelf with an army before their walls) was appeaſed, and not long after, larger liberties and immunities were granted unto them than formerly they had. They then finding that forcible means was not the way to attain unto their deſigns, they attempted the ſame in a more humble manner, purſuant unto his majeſty at Hampton-court [anno 1 Jac.] by the hands of the fugitive traitor Tyrone) a petition ſubſcribed by the principal men of that kingdom then in England (the earl of Thomond excepted) the ſubſtance whereof was a free toleration of religion, which being by his majeſty rejected, and thereby they left in deſpair of ſucceſs, treaſon entered into their hearts; the plot was to kill the lord deputy and counſellors of ſtate, to poſſeſs themſelves of the Caſtle of Dublin, where the records and magazines of arms and ammunitions remain, and there to declare themſelves in overt rebellion, hoping to obtain that by force, which by petition they could not do; and to back this enterprize, a perſon of honour of that realm was ſent to the archduke to ſollicit aid.

The diſcovery of this treaſon moved Tyrone, Tyrconnell, and ſome other of their complices, to run out of Ireland. A peer of that realm, their aſſociate, was taken priſoner, whom his majeſty in his clemency pardoned.

The next attempt, which was but a branch of the former, was the rebellion of Sir Cahir O Dohertie; but a happy ſhot, which ſmote him on the head, ended that buſineſs. By the flight of Tyrone, Tyrconnell, &c. the rebellion of O Doherty and the traitorly Iriſhling, of Sir Neale O Donell, O Cahir, and others, ſix entire counties in Ulſter (to diſpoſe at his majeſty's pleaſure) eſcheated. There was no reaſon of merit in the natives to move his gracious charity towards them: nevertheleſs, the king in his princely goodneſs, left not unprovided every one according to his quality (having land at an eaſy rate) aſſigned unto them.

But neither the failing of thoſe traitorly projects, nor yet his majeſty's gentle hand in reſtraining his miniſters from the execution of the laws in matters of religion, nor the benefits which they have received by his bounty, hath either gained their love, or humbled their obdurate hearts; for they are not contented with the connivance uſed, no man being troubled for his conſcience; but as it were in contempt of the laws and government in divers parts of the kingdom, yea, in the Engliſh pale, they have re-edified monaſteries, wherein friers publickly preach and ſay maſs, and the cities, towns, and

country ſwarm with prieſts and jeſuits, much more than in former times; and in the fields ſeditious ſermons are daily preached, whereunto thouſands of people reſort. They are grown ſo bold, as that they do not only exerciſe their religion almoſt in publick every where, but defend the ſame, even in the face of the ſtate, againſt the oath of ſupremacy, to be tendered unto juſtices of the peace, mayors, ſheriffs, bayliffs, and other publick miniſters, which by the laws of the realm are to take the ſame, and alſo againſt the oath of allegiance, which every good ſubject ought to take, they are obſtinately oppoſite; the law for 12 *d.* the Sunday for not coming to the church, they reſiſt, and ſcruple not to ſay (which never till of late they durſt do) peremptorily, that both that ſtatute, and others made in 2 Eliz. which is now 54 years ſince, are no lawful acts. Their ſons they ſend to be educated in Spain, France, Italy, and archduke's dominions, more frequently than accuſtomed, which hath been no ancient cuſtom amongſt them; for Sir Patrick Barnewell, now living, was the firſt gentleman's ſon of quality that was ever ſent out of Ireland to be brought up in learning beyond the ſeas; and now, laſtly, how frowardly they have demeaned themſelves, both before and ſince the ſummons of parliament, and after the firſt day of the firſt ſeſſion of the ſame, ſhall be briefly declared.

Upon the ſignification of his majeſty's pleaſure to the lord deputy about Michaelmas 1611, that

that a parliament ſhould be held in Ireland, for the better ſettling and reforming of that ſtate, the lord deputy, as he was directed, publiſhed the ſame in writing (in his majeſty's name) to the ſubjects of that realm, to exhibit their grievances, to conſider of propoſitions that might be good either for the publick, or for the juſt relief of any particular; and further he told them, that for the better encouragement of the new plantations in Ulſter, and generally for the drawing of inhabitants into ſuch other places as were either weakly peopled, or dangerous in reſpect of their ſituations, that his majeſty (in his princely care and wiſdom) thought it meet to erect new corporations, which would produce good effects for the ſtrength of the kingdom.

THESE his gracious intentions deſerved applauſe, with dutiful acknowledgments of humble and hearty thanks; but it fell out otherwiſe, for nothing was ſo diſtaſteful unto them as the name of a parliament, and eſpecially, the noiſe of the erection of new corporations, was poiſon in their ears; for the prieſts and jeſuits, who kept the natives of Ireland in awful obedience, have ſowed ſuch ſeeds of obſtinacy in their hearts, as they preſently reſolved to impugn his majeſty's deſigns to their utmoſt power: whereupon they were the more eaſily induced by a conceived fear, that not only for the preſent, laws would be made to curb them in religion, but that alſo in after times the king, by the addition of new corporations, the inhabitants in them being for

the moſt part proteſtants, would make what laws he pleaſed.

This malicious interpretation of his majeſty's good meaning, fomented by ſeditious prieſts, took ſuch firm root, as ſundry lords of the Engliſh pale, aſſiſted with the principal gentlemen of the ſame, endeavoured (before the ſummons) to break the intended parliament. In England after the ſummons, no ſkill or induſtry was omitted to raiſe ſcandals, whereby the hearts of the people might be alienated from it unto his majeſty. In November 1612, the lords of the pale and others, in a joint letter, wrote againſt it, finding themſelves grieved at the proceeding of the lord deputy and council, that they were not conferred withal about the bills of parliament which ſhould be tranſmitted into England, which demand, by ancient cuſtom and precedent never appertained unto them, they inveighed againſt the new corporations, exclaimed againſt the oath of ſupremacy tendered to magiſtrates, and darkly intimated (under colour of repreſenting the perils depending upon the parliament) a danger of revolt, and aimed at a total overthrow of religion; and ſaying, that if his majeſty would withdraw ſuch laws as touched religion, their minds would be ſettled in a firm and faithful ſubjection. Unto the lord deputy, the 17th of May 1613, the ſaid exhibited a petition, ſtuffed with ſtubborn, unſeemly phraſes, the contents thereof (for the moſt part) agreeing with the rebels aforeſaid, had written unto his

his majeſty, and alſo in the ſame, they did not forbear to queſtion the king's prerogative, whether he had power or not to erect new corporations, or to call by writ Engliſh or Scottiſh noblemen (landed in Ireland) to ſit in his parliament. They found fault with many of the boroughs lately erected, alledging, wherein themſelves preſumed to be judges, that they were unmeet to be incorporated.

THEY excepted againſt the holding of the parliament within the Caſtle of Dublin, and alſo of the lord deputy's guard of 100 foot, as if the ſtrength of the place, and the guard, had been prejudicial to their freedom. They excepted alſo againſt the powder and ammunitions which evermore had been placed in a room within the Caſtle: and many other frivolous objections were forced, which was done only to the end to impeach the proceedings of the parliament: and then finding their endeavours to be in vain, they concluded in their councils to refuſe their attendance.

THE 18th of May 1613, being the firſt day of the parliament, according to the uſual manner in the higher houſe of parliament, delivered their reaſons which moved the king to call the general aſſembly, and the lord deputy, in his majeſty's name, recommended to the commons Sir John Davis the attorney general to be their ſpeaker; whereupon the knights, citizens, and burgeſſes, repaired to the commons houſe; but, in the election of their ſpeaker contentions aroſe;

 the

the proteſtant party named Sir John Davis, the papiſts cried, no; and named Sir John Everard. The proteſtants, (according to the manner held in parliament) having given their Aye unto the election of Davis, went out of the houſe to another room adjoining unto it, to number their voices by poll, deſiring the recuſant party to ſend ſome of theirs to tell them, which they refuſed; neither would they permit that themſelves ſhould be numbered; and whilſt the proteſtants without were numbering of their heads, the recuſants within ſeditiouſly elected Sir John Everard to be their ſpeaker, and ſet him in the chair. The proteſtants ſending ſome of theirs to number the recuſants ſitting, and finding their voices to be the major part, being returned into the houſe, required Sir John Everard to give place; but he ſat ſtill, and would not riſe, he and the recuſants inſiſting that their election was legal and juſt. Many words of hate in this diviſion paſt to and fro; but in the end, the proteſtants being the ſtronger party, and well aſſured that they were in the right, pulled Sir John Everard down; whereupon, in a tumultuous manner, the papiſts went out of the houſe, proteſting not to ſit there any more. Before they were gone out of the outer room (which was locked, and they wanted the key) the proteſtants ſent to intreat them to return to their places, and according to reaſon and uſual cuſtom, to ſubmit themſelves to the order of the houſe, and to admit of Sir John Davis (becauſe he had the plurality of voices)

voices) to be their ſpeaker; whereunto no other anſwer was returned but obſtinate refuſal. The day following being the 19th of May 1613, which was the ſecond day of parliament, the Iriſh lords wrote unto his majeſty, exclaiming againſt the proceedings in the election of the ſpeaker, calling them prepoſterous, ſtrange, and never heard of courſes. They expreſſed their paſſions with epithets of *pius dolor* and *juſta iracundia*. They did not vouchſafe in their letter to name the aſſembly a parliament, but termed it an intended action. They ſignified a general diſcontent, not only againſt the new corporations, but alſo againſt the plantations; the new boroughs incorporated they termed *titulus ſine re et ſigmenta ſine rebus*. They wrote contemptibly againſt the perſons, divers of the burgeſſes, and as in their former letters, ſo in this they intimated menace of rebellion, and in a manner delineated how it might be managed.

The ſame day the commons houſe of parliament wrote to the lords of the council of England, wherein they took exceptions againſt the new corporations, and at divers of the burgeſſes ſent from them. They complained of wrong done unto them; that Sir John Davis was ſet in the ſpeaker's chair, and that Sir John Everard was forcibly pulled out of it. They exaggerated their caſe ſo far (as they ſaid) their extremities were ſuch and ſo ſtrange, as they wanted words to expreſs them, and ſo unlikely to be believed,

as that they were not to be equalled to any accident (how rare ſoever) tranſmitted to poſterity. They charged his majeſty's counſellors and principal officers of ſtate in Ireland, to be the actors of the diſorders complained of.

The 20th of May 1613, the commons exhibited a petition to the lord deputy, wherein they preſumed (in a ſort) to call the king's acts and proceedings to account. They prayed to be diſpenſed for their attendance in the houſe, pretending that they were in fear of their lives. They required by what authority moſt of thoſe which did poſſeſs the houſe, ſat therein. They craved the ſight of the grants of the charters of the new corporations, and likewiſe the view of his majeſty's letters for the erection of them, together with the returns of them and other places for the parliament.

The day following, being the 21ſt of May 1613, they preferred another petition to the lord deputy, wherein, by way of condition or contract, that if they might be ſecured of their lives, that if they ought to have the benefit of the laws of the kingdom, and the cenſuring of the undue returned knights and burgeſſes, then they would repair to the houſe, and preſent their ſpeaker; all which the lord deputy, in his majeſty's name, granted; willing them to repair to their houſe, and he would be ready in the upper houſe to receive their ſpeaker.

But their intents were far different from their words, meaning nothing leſs than to conform

themſelves;

themſelves; for the ſame day they delivered unto the lord deputy another petition, therein demanding that all ſuch burgeſſes of the new corporations might be ſequeſtered from the houſe, and excluded, before the objections propounded againſt them were declared and decided; which was a ſtrange demand; for who knoweth not, that until a ſpeaker be eſtabliſhed, differences concerning undue elections cannot be determined? And albeit Sir John Davis, according to the form of parliaments, was legally ſet in the chair, yet they would not ſo acknowledge him, as appeared in this ſaid petition, wherein (uſing their own words) they ſaid, that Sir John Everard, being by us (that are orderly returned) elected irregularly by others, and another intruded into his place by force, &c. it plainly letteth open the cunning they uſed in their former petition, in ſaying, they would preſent their ſpeaker, meaning Sir John Everard, whereas the lord deputy intended to receive Sir John Davis.

The ſame day, the 24th of May 1613, they exhibited a ſecond petition to the lord deputy, wherein they diſcovered a manifeſt combination with the commons of the recuſant party, little or nothing in the ſame containing matter touching the upper houſe. They complained of undue returns made by the ſheriffs and others; of the knights and burgeſſes; of the new corporations; of men choſen to ſerve, that were not reſident in them at the holding of the parliament in the Caſtle of Dublin; at the lord deputy's guard;

guard; that Sir John Davis was not duly elected ſpeaker; that Sir John Everard had a true and orderly election; that he was by force ejected, and by the ſame force Sir John Davis intruded. They queſtioned the lord deputy's authority in erecting new corporations, ſaying, that his commiſſion did not bear it. They prayed a diſpenſation for not attending the parliament, and deſired leave for ſome of themſelves to go into England to complain unto his majeſty. By this it appeared, that their wilful obſtinacy was in a degree more faulty than that of the lower houſe, becauſe they intermeddled in buſineſs not appertaining unto them.

The next day, the 22d of May 1613, the presented a third petition to the lord deputy, wherein they peremptorily ſaid, that they would not come any more to the houſe, until his majeſty had taken ſome better order for the ſettling of things: their reaſons were, that although the commons houſe and others were houſes diſtinct, yet, they both together made but one body; proteſting alſo, that any laws made in this parliament, would, in the execution of them, be cried out on by the ſubject, as diſorderly, and unjuſtly enacted.

The 25th of May 1613, the recuſant commons, by petition, preſſed the lord deputy, in an undutiful manner, to give them the copy of his majeſty's letter for the making of new corporations, the view of their charters, the return of all the knights, citizens, and burgeſſes, &c. and

and licence for their agents, to preſent the difficulties and occurrences happened in the parliament unto his majeſty, to the end they might know his pleaſure therein. Laſtly, they demanded the copy of the commiſſion for holding the parliament.

In this mean time the lord deputy, ſeeing the froward obſtinacy of the recuſants in both the houſes (by proclamation in his majeſty's name) commanded them to repair, for the paſſing of the bill of recognition, to the parliament houſes.

But inſtead of their perſonal appearance as they were commanded, and in duty bound, the recuſant commons the 26th day of May, preſented a petition to his lordſhip, wherein they acknowledged and recognized the king's juſt title to the realm of Ireland, and their obedience to him; but yet with an obſtinate reſolution they proteſted never to return to the houſe, until the knights and burgeſſes, which they would except unto, were turned out of the houſe, and until Sir John Davis were rejected, and Sir John Everard eſtabliſhed, and received to be their ſpeaker.

After the example of the commons, the lords, in a petition to the lord deputy, upon the 27th of May, excuſed their not coming to the houſe, and in manifeſtation, that their refuſing to attend, as by proclamation they were commanded, was no want of duty or affection to his majeſty; they made in the ſame, a recognition of

of the king's juſt title to the crown of Ireland, but directly refuſed other perſonal attendance in the parliament, for the reaſons which they had formerly alledged.

The lord deputy, to every of theſe petitions, with extreme patience, gave mild and ſatisfactory anſwers, *Sed opus et olium perdidit:* unto perſuaſions that moved to conformity, they were as deaf as adders, no words tuned a pleaſing ſound in their ears, that did not ſay, away with the new corporations, caſt Davis out of the chair, and place Everard in it.

The lords and gentlemen of the recuſant party, at their firſt coming to the city of Dublin, came attended with extraordinary troops, as if they had a purpoſe to effect their deſigns by force, which was feared they would have attempted if the parliament had been held in the town, as heretofore had been accuſtomed.

When they were moved by the lord deputy (before the ſummons) to conſider of the propoſitions meet to be handled in that great council, they never made uſe of his majeſty's grace, whereby it was evident that they went to oppoſe, and not to concur in the making of laws.

In the choice of the ſpeaker, they did impugn againſt him whom his majeſty had recommended; and when they ſaw they failed in plurality in voices, mutinouſly they nominated an Everard ſpeaker, who of all men was moſt unmeet, being formerly (for reaſon of ſtate, for being a perſeverant catholick) diſplaced from the

the office of a judge, nevertheleſs they obſtinately and ſeditiouſly maintained his undue election.

NOTWITHSTANDING the juſt and honourable anſwers made unto them by the lord deputy, to all their petitions, aſſuring them, on his majeſty's behalf, ſafety, freedom, and protection, during the parliament, and ſatisfying them articulately to their exceptions, remitting to their own cenſures and examinations, the miſreturns and undue elections of knights and burgeſſes, and yielding to all their demands, as far as the place he held, and the majeſty of the perſon he repreſented, could poſſibly bear: ſuch, yet, were their forward diſpoſitions, as in contempt of the king and his regal authority (without licence) they departed from the parliament; notwithſtanding, by proclamation, upon their duty of allegiance, they were required to return, and having notice given them, that no other act upon the day (prefixed for their return) ſhould be read in the houſe but the act of recognition only; but their paſſions ſo far over maſtered their judgments, as they peremptorily refuſed to obey the proclamation.

THIS obſtinacy of the commons was in ſome worſe degree ſeconded by the recuſant lords; for, beſides the proclamation, every lord had an expreſs meſſenger purpoſely ſent unto them, to require their return, with promiſe, as before, that no other bill ſhould be read, but that of recognition. But neither fear of the king's indignation,

tion, nor yet the band of duty appertaining unto ſubjects, had power to work their return: and ſo the firſt ſeſſion of parliament abruptly ended, and preſently, certain ſelected of both the houſes for the recuſant party, were ſent into England, as well to complain unto his majeſty of grievances, as to make apologies for their obſtinacies afore-mentioned, and for the defraying of their charges in this employment, by the perſuaſions of prieſts, a general levy of money was made throughout the realm, whereunto the popiſh ſubjects did willingly condeſcend.

A diſcourſe of the preſent ſtate of Ireland, 1614, *per* S. C.

IN kingdoms conquered, nothing but time, and that alſo muſt be the flux of hundreds of years, hath power to unite the conquerors and the ancient inhabitants in perfect amity. Examples hereof are pregnant in many kingdoms of Europe, and particularly in Ireland. It is evident, for until of late, the old Engliſh race, as well in the pale, as in other parts of the kingdom, deſpiſed the meer Iriſh, accounting them to be a barbarous people, void of civility and religion; and other of them held the other as an hereditary enemy; and ſo it would have continued for many years yet to come, had not theſe latter times produced a change, the occaſion whereof proceedeth from theſe three heads enſuing:

FIRST,

First, their frequent marriages one with another, which in former ages was rarely ſeen.

Secondly, the meer Iriſh (by their travel abroad) are civilized, grown to be diſciplined ſoldiers, ſcholars, politicians, and further inſtructed in points of religion, then accuſtomed, whereby the antient diſlike and contempt is laid aſide.

Lastly, the late plantation of new Engliſh and Scottiſh in all the parts of the kingdom, whom (with an unanimous conſent) the natives repute as a common enemy; but this laſt is the firſt and principal cauſe of their union, which with all poſſible art they endeavour to diſguiſe, covering the ſame under the colour of religion, pretending, that nothing but matter of conſcience moves them to concur in oppoſition to the preſent government; for this cauſe in *(odium terris)* the ſlaughters and rivers of blooodſhed between them are forgotten, and the intruſions made by themſelves or their anceſtors, on either part, for title of land, are remitted. Which characters, of inveterate malice (reciprocally rooted) are as well in the hearts of the conquerors, as the conquered; and the wit and induſtry of man (but for the reſpects recited) were no way able to deface and extinguiſh, they being then enjoined (as is evident) it is worthy the conſideration (admitting they rebel) what more danger to the ſtate, their union can now produce, than in former ages. The rebellions in times paſt have been moved (for the moſt part) upon particular quarrels

quarrels between themſelves, the weaker evermore praying aid from the ſtate, to preſerve him from the oppreſſion of his neighbour; ſome others having riſen (whereof there are examples) out of diſdain, to ſubject themſelves to the laws of the land, which appeared in the earls of Deſmond and Tyrone; and when they found their ſwords too weak to maintain their treaſons, as men in deſpair (to be received to mercy) have drawn foreign forces (which was unuſual) to their aid, whereby the kingdom hath been in ſome danger. But in all theſe tumults whatſoever, the greater part of the inhabitants have overſerved the ſtate, or have ſtood neutrals. The cities and incloſed towns never gave cauſe of ſuſpicion of defect; and of the old Engliſh, though ſome branches might fall into rebellion, yet the body hath evermore remained ſound and firm to the crown of England, whereby we may conclude, that theſe forepaſſed rebellions have been more troubleſome than dangerous, and the cauſe of ſmall danger hath been their diſunion, for the reaſons aforeſaid. But now contempt and rancor ſleeping, and the general ill affections to the ſtate, as well for the cauſe of religion, as for the new plantations encreaſing, (whereby they are united) the next rebellion, whenſoever it ſhall happen, doth threaten more danger to the ſtate than any that hath preceded, and my reaſons are theſe:

1. They have the ſame bodies they ever had, and therein they had and have advantage of us.

2. From

2. From their infancies they have been and are exerciſed in the uſe of arms.

3. The realm, by reaſon of long peace, was never ſo full of youth as at this preſent.

4. That they are better ſoldiers than heretofore, their continual employments in the wars abroad aſſure us; and they do conceive that their men are better than ours.

5. That they are more politick, and able to manage rebellion with more judgment and dexterity than their elders, their experience and education are ſufficient.

6. They will give the firſt blow, which is very advantageous to them that will give it.

7. The quarrel, for the which they rebel, will be under the veil of religion and liberty, than which nothing is eſteemed ſo precious in the hearts of men.

8. And laſtly, their union is ſuch, as not only the old Engliſh diſperſed abroad in all parts of the realm, but the inhabitants of the pale, cities and towns are as apt to take arms againſt us (which no precedent time hath ever ſeen) as the antient Iriſh. Being then granted, that the revolt is like to be general, experience the maſter of fools, and reaſon the rule of wiſe men, hath ſufficiently taught them that his majeſty's ſword is too ſharp and heavy (when his pleaſure is in his juſt indignation to draw the ſame) for them with their own forces to reſiſt; wherefore we muſt imagine, that they will never take arms until they be aſſured of the aid of ſome foreign

prince, this in reaſon they will do, or pay the ranſom of their follies with their ruin.

Tyrone is ſaid to have a deſign for Ireland; the ſame intelligence reports, that he hath found means to raiſe a competent force to put the kingdom in a flame, and to move us to be jealous; that the intelligence is in part or in all true, in the late coming of the pope's archbiſhop of Dublin into Ireland, who hath a penſion of 300 ducats *per* of the Spaniſh king, and was ſent from Lovaine into Spain to negociate for Tyrone's ſupport. This his repair into Ireland agreeing with the intelligence, gives no leſs cauſe of ſuſpicion than the ſight of a ſea bird, called a Petrel, of a ſtorm enſuing. Tyrone's councils aim no farther than to try his own fortune by ſtolen forces brought with him, although it muſt be confeſſed, that the ſlighteſt occaſion countenanced by his preſence, and fomented by the prieſts, is ſufficient to diſturb the peace of the realm, and to ſet a fire in every part thereof, which will coſt the lives of many of his majeſty's ſubjects, and the exhauſture of great maſſes of treaſure, before it be pacified. It yet will not move the cities, nor the gentlemen of the Engliſh pale, or men of great poſſeſſions (although their hearts are with him) to ſet up their reſts upon ſo weak a foundation, but as in former times they will be lookers on to ſee how the game is played.

Tyrone is known to be witty and crafty in nature, and now, by reaſon of his many years

and

and great experience, much wiſer, the diſpoſition of his body (worn with time and travel) are motives of his reſt. He hath a competent penſion from Spain for his relief. His age is ſufficient to deter him from great and toilſome attempts, and eſpecially from ſuch as muſt be determined by a long tract of time, which he is like never to ſee; wherefore, if he do intend any enterprize for Ireland, we have reaſon to conceive it to be ſuch a one as that for the inſtant he will be able to carry all things ſmooth before him without reſiſtance, which can be never done without a foreign army, paid and ſupplied by a powerful prince. If any ſuch accident ſhould happen, then we have juſt cauſe to fear the union of that people whoſe hearts are prepared to extirpate both the modern Engliſh and the Scots, which is not difficult to execute in a moment, by reaſon they are diſperſed, and the natives ſwords will be in their throats in every part of the realm (like the Sicilian veſpers) before the cloud of miſchief ſhall appear.

As yet there is no cauſe diſcovered, that any prince in Europe hath a deſign to break amity with his majeſty; nevertheleſs it is wiſdom to miſtruſt the worſt, and not to be over credulous in the faith of any, and eſpecially of ſuch as are oppoſite unto us in religion, or jealous of his majeſty's greatneſs.

Fugitives of Ireland are entertained and relieved only by the pope, the king of Spain, and the archduke, a branch of Spain. Upon

theſe princes, both the traitors abroad, and the traitorly diſpoſed at home, have faſtened their hopes, relying themſelves upon their protections and aid in caſe of neceſſity.

Of the pope's deſire to tear his majeſty's crown in ſunder, no man doubts; and of Spain we can judge no otherwiſe, than of a reconciled enemy, apt to break faith when occaſion ſhall ſerve to advance his ends, which is, and evermore hath been, notwithſtanding all oaths taken at the confirmation of treaties.

The familiar practice of popiſh princes, even in the times when all the world was Romiſh, and therefore much more now to be ſuſpected by princes of the religion, the catholicks being aſſured to be abſolved by his holineſs. Reaſon of ſtate moves both the one and the other to wiſh and endeavour the diminiſhing of his majeſty's greatneſs. The eccleſiaſtick prince, becauſe our king is the moſt powerful defender of the goſpel, the enlarging whereof will in a proſecution of time diſſolve his triple diadem; and the temporal monarch fears his ſea and land forces, which not many years paſt made his father tremble, as well Spain as in his Indies; no king in Europe being ſo able to manifeſt him in either as his majeſty.

These violent motives ſpringing from fear and envy, keep their malice awake. The pope needs not to ſatisfy the world for the drawing of both his ſwords, *quere angelos*, for in being God's vicar on earth, he is bound in conſcience

to

to extirpate heretical princes (and ſuch a one he eſteems his majeſty to be) by all poſſible means whatſoever. The Spaniſh king can never want pretences to blind the world, for the defence of the breach of his league, which by the catholicks will be applauded; and if no other ſhift were to be found to preſerve his humour, the plantations in the Bermudas and in Virginia, or his obedience to the church, being incited to a war by the pope, will be enforced as ſufficient.

I do not concluſively deliver my opinion, that they will either at this preſent, or within a prefixed time attempt any of his majeſty's kingdoms; notwithſtanding, I am confident, that whenſoever a fit opportunity (ſorting with their deſires) ſhall offer itſelf, that they will take the advantage of it, for the eyes of fear are ever open, and hearts ſwoln with envy ſtudy miſchief.

Admitting then we have reaſon to ſuſpect that Rome and Spain finding an aptneſs in the natives of Ireland, now vinted to ſpeak of their obedience to his majeſty, and to caſt themſelves into their arms; and that the pope would confer his pretended right to that realm, which he challengeth to be *patrimonium ſancti Petri* unto the king of Spain, as his predeceſſor did the king of Navarre to *Ferdinando et catholico*; and that the Spaniſh king accepted of the ſame, and under the pretence of ſome other invaſion (at the natives deſire) ſend an army of ten thouſand foot into Ireland in one or two bodies, armed with the pope's indulgences and excommunications,

 I think

I think that little doubt is to be made, but that all the modern Engliſh and Scotch would in an inſtant be maſſacred in their houſes; no city or walled town would open their gates unto ſuch as ſhould eſcape the fury; his majeſty's forts, and private men's caſtles, not being manned or victualled to ſuſtain a ſiege, would be ſurprized: yea, the city of Dublin (in ſuch a general revolt) would ſcarce be ſecure for the lord deputy, and ſuch as ſhould ſurvive.

A DISPLANTATION being thus effected (which would not be the work of many days) the conquering of Ireland will prove an Herculean labour, and no leſs difficult than the recoveries of Aquittain and Normandy, have been to the French kings, from his majeſty's royal progenitors.

IT hath ever been held as an infallible maxim, that no monarch in Europe is able to maintain a long war againſt his majeſty in Ireland; and no man hath been more confident in that opinion than myſelf; and ſo I remained, until this fearful and unexpected union gave me cauſe to miſtruſt more danger than otherwiſe I ſhould have done: for who did ever dream of a general defection in all the natives, which now is probable? It was always ſuppoſed the king ſhould evermore have a ſtrong party in the kingdom, and that the cities would never decline from their duties, as is now to be feared; this ſtrange alteration muſt needs produce ſtrange events whenſoever Spain can be drawn to invade that realm, which

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is no leſs wiſhed and laboured by the prieſts and jeſuited catholicks of Ireland, than liberty to ſuch as groan under captivity proceeding from the abundance of their malice, which hath ſo blinded their reaſon, as that they loath his majeſty's ſafe and ſweet government, tempered with juſtice and mercy, and overſee the tyrannical diſpoſitions of the arrogant Spaniards who would whip them with ſcorpions.

Of their affection to Spain their deſire to draw Spaniards into Ireland, and how glad they would be to ſubject themſelves to the Spaniſh monarch, I need no other reaſon to perſuade me to believe it than the ſpeeches which I have often heard fall from the lips of protected rebels, who have ingenuouſly told me the truth of their hearts, and in diſcourſe when I have replied that no king in Europe was able to maintain a long war with the king of England and Ireland; and therefore their projects in drawing Spaniſh forces to their aid, would prove vain and ridiculous; I have been anſwered that the maxim was true, if no other after the Engliſh were diſplanted, than a defenſive war were intended; but the way for the king of Spain to hold that realm, was out of Ireland to make an incurſive war upon England, which by reaſon of his great intereſt he was able to maintain, being drawn to a length would ſo conſume and weaken us to a peace, and permit the Spaniard, as our neighbour, to enjoy his conqueſt. This I aſſure myſelf they confidently believe to be feaſible, and

upon this council their hopes are ſtrongly fixt, taking for an inſtance the example of the united provinces, who by foreign aid have driven Spain to ſit down with loſs; although that I can hardly believe that the Spaniſh king will be induced to make an overt war againſt his majeſty, or if he did that, the ſucceſs would be ſuch as they promiſe to themſelves; yet it muſt be granted, that the council is very pernicious, and worthy of the conſideration how to prevent it: for what the wit or induſtry of the Iriſh traitors may effect, muſt be expected, and although they be not able to draw upon the realm all the miſchief they deſire, yet we have reaſon to miſtruſt, that they will endeavour the uttermoſt of the ill they can procure, which is likely to be the return of Tyrone, with ſuch aids as he can bring with him, or a home rebellion, either of which will prove chargeable and troubleſome to ſuppreſs. His majeſty, to prevent theſe dangers, hath in his power means and time ſufficient by taking of ſuch pledges as the lord deputy and council of eſtate there ſhall make choice of, and erecting of citadels at Waterford and Cork, to contain the beſt ſort of the natives in due obedience, which may be done with a ſmall charge, and according to the ancient manner; in the like caſes out of his realms of England and Scotland to have companies deſigned upon all occaſions to be in a readineſs to be tranſported as occaſion ſhall require, which for the preſent will be ſufficient.

LETTER

LETTER I.

To the right truſty and well beloved Sir Arthur Chicheſter, knight, our deputy of our realm of Ireland, and to the reſt of the council there.

JAMES R.

RIGHT truſty and well beloved, we greet you well. Although ſince the coming of Cooke our ſecretary, and Davis our ſollicitor, ſent from you by our appointment, to report your anſwers to ſome propoſitions directed from hence unto you, concerning the eſtabliſhment of the quietneſs of that realm, and to acquaint us with all other our affairs there, we have not had time to enter ſo far into the particular conſideration of every point of their charge, as thereupon to take reſolution, that thus much we conceive by the firſt view of your anſwers, that you have uſed ſo much both of diligence and judgment in the preſenting to us many good councils for things to be put in execution, as doth both deſerve our good acceptance, and give us hope that the ſame induſtry which you have uſed in offering good devices, you will perform in executing of our commandments when we ſhall ſignify our pleaſure what ſhall be done in every of the particulars, which ſhall be as ſoon as other affairs will give us leave to fall into conſideration thereof;

of; in the mean time, becauſe there cannot be a better beginning to a peaceable government, than to diminiſh the cauſes of offence, and whereby vexations do or may ariſe, we have abated the number of our army as well in companies as in wards, and in ſome other titles; and have ſent unto you a new eſtabliſhment ſigned with our hand, according to which our pleaſure is, that you ſhall give forth your warrants for our pay, beginning the firſt of April laſt paſt. In which diminiſhing, although there be ſome ſmall ſaving to us, yet that which we have moſt regarded, and which we take moſt comfort in is, that thereby there ſhall follow a great eaſe to our people, for we are not ignorant that ſoldiers are never ſo well contained within the bounds of any diſcipline, but that they break out into many diſorders, whereof the burthen falleth upon the people. For prevention whereof, we purpoſe to have the number of our army as little as may be, having ſo great confidence in the loyal diſpoſition of our ſubjects towards us, ſeeing that hitherto ſince our entry into this kingdom, there hath not paſſed neither from them towards us any matter of diſtruſt, nor from us towards them any matter of grief, as that they will every day more and more offer us occaſion to leſſen the number of our forces, and frame themſelves to ſuch recourſe of civility and obedience, as ſhall give us cauſe to have better aſſurance in their loves than in any garriſon; which ſtate and condition, as it is our chiefeſt deſire to

bring

bring them to, ſo do we charge you to bend all your endeavours to that which is to our end, and to eaſe the people as much as may be of the burthen and oppreſſion of the ſoldiers, that they may perceive, that thoſe which are maintained in pay, ſhall ſerve rather for neceſſary inſtruments to preſerve the good ſubject, than annoy any. To which courſe, as our pleaſure is, you ſhape all your proceedings; ſo that if contrary to our expectations there ſhall break out any corrupt humour, ſuch as with the garriſons remaining, you cannot ſuppreſs, we would have you to underſtand, that we mean not to abandon our honour to the inſolence of rebellious ſubjects; but as we will withal diſpatch ſupply you from hence with whatſoever ſhall be needful to reduce any rebel to his duty; ſo becauſe it may happen that ſuch ſupplies may be long in coming from hence, and ſpeedy uſing of force may be more requiſite: in ſuch cauſes we do hereby give you warrant and authority, with the advice of our council there, to levy any number of men which ſhall be needful for ſuch an extraordinary occaſion, and put them in our pay for ſo long time as you ſhall ſee cauſe. And where in this eſtabliſhment, which now we ſend, that may be there is ſome ward diſſolved, which you ſhall find cauſe to continue, or if you ſhall hold it neceſſary to erect ſome new ward in place convenient for our ſervice, we can be pleaſed in ſuch cauſes you uſe your liberty, either to continue that which is appointed to be diſcharged,

or

or to erect a new, ſo as in the whole you do not charge us above one thouſand pounds a year, or thereabouts; you ſhall further underſtand, that the encreaſe of entertainments to the judges and officers formerly paid out of the army, being ſeven and twenty ſhillings by the day, is from henceforth to be paid unto them out of our revenues of that kingdom, and in the title of foot-bands in the eſtabliſhment mentioned. The three inferior officers and the fifty footmen in every band, are to receive the weekly impreſts formerly paid unto them, and to have apparel from the merchants for this ſummer, and then their whole pay without apparel to begin the firſt of October next following the date hereof, which ſhall be the year 1605; and theſe our letters ſhall be your ſufficient warrant and diſcharge in this behalf. Given under our ſignet at our manor of Greenwich the xxixth day of April, in the third year of our reign of England, France, and of Scotland the eight and thirtieth.

LETTER II.

To our right truſty and well beloved Sir George Carey, knight, our treaſurer at wars in our realm of Ireland.

JAMES R.

TRUSTY and right well beloved, we greet you well. Where we have appointed Sir Arthur Chicheſter, knight, to be our deputy of

of that realm, we have aſſigned unto him for his maintenance in that place, all ſuch fees as you did lately receive while you were deputy; and we are further pleaſed, that the ſaid Sir Arthur Chicheſter ſhall towards his charges have yearly one thouſand pounds of current money of England, to begin from the day of his entrance into his charge, and continue during our pleaſure; and that you ſhall advance unto him preſently the ſum of five hundred pounds, for his preparations, as of our free gift, without account to be ſet upon him for the ſame. Wherefore we will and command you, out of ſuch of our treaſure as ſhall from time to time come to your hands, to pay or cauſe to be be paid to the ſaid Sir Arthur Chicheſter or his aſſigns, as well the ſaid entertainments appointed to him out of the ordinary entertainments of our deputy there, as alſo the ſaid thouſand pounds yearly, and the ſaid advancement of five hundred pounds of our gift. And theſe our letters ſhall be your ſufficient warrant and diſcharge in this behalf. Given under our ſignet at our honour of Hampton Court the 16th day of October, in the ſecond year of our reign of England, France and Ireland, and of Scotland the eight and thirtieth.

LETTER

LETTER III.

To our truſty and right well-beloved Sir Arthur Chicheſter, knt. our deputy of our realm of Ireland.

JAMES R.

RIGHT truſty and well-beloved, we greet you well. Foraſmuch as it ſhall appear unto you by our letters to the deputy and council in general, both what interpretation we have made of your refuſal, and upon how good an opinion of your ſufficiency to diſcharge the place, we have grounded our election, ſo needs no more write unto you now, as doubting your conformity to our pleaſure, but rather according to the neceſſity of our ſervice, to begin to acquaint you with ſuch direction in your firſt beginning, as may help to guide you in the ſucceeding times. For the better performance whereof, as we have made it publick by thoſe letters, that we intend to call a parliament, at which meeting opportunity will be as well offered to lay open and to reform the lurking inconveniencies of the ſtate, as to conſtitute new laws for the future, to have, we hold moſt neceſſary to conſider how things may be beſt prepared againſt that time; for which purpoſe you ſhall now take notice by this letter of ours, to be intimated to thoſe whom it doth concern, that we would have a preſent conſultation of all ſuch things

things as may tend to the better eſtabliſhment of the true religion profeſſed, of the general policy and juſtice of the realm in civil government, and of the better ordering of our receipts and iſſues, both for our honour and profit; in all which things, although we mean not to forbid you, as cauſe ſhall ſerve, to communicate with ſuch of our miniſters our counſellors, as ſhall be neceſſary; yet, becauſe in all conſultations ſome are more proper to be particularly employed than others, and that ſuch particular diſtributions make things to proceed with more maturity and better expedition, we think it convenient that you do eſpecially conſult with theſe perſons following, according to their ſeveral places and profeſſions, namely, the biſhops of Meath and Downe, the two chief juſtices, the chief baron, the maſter of the rolls, Sir Richard Cooke, ſecretary, and Sir John Davis ſollicitor, or as many of them as can from time to time attend the ſervice. After which conſultation, and ſome principles laid down, we ſhall like it well, that you do ſend over both Sir Richard Cooke and Sir John Davis, thoroughly inſtructed in all things falling into your memory, either fit to be handled in parliament or council, by whoſe relation of your opinions, we may reſolve, after further conſultation here, as well of the times of the ſummons of the parliament, as of the matters fit to be treated and concluded therein; among which conſiderations, although we do refer both the forms and the matter to be firſt

firſt handled and reported to us, according to your particular experience; yet we think it not amiſs to let fall ſome few general heads convenient to be thought of, as well for making known, that we are as careful of that ſtate as the preſent time can permit, as alſo to root out the jealouſies which have been formerly conceived, that daily advantage ſhould be ſearched for by the miniſters of that realm to moleſt and oppreſs them for ſo old offences, only to ſerve private turns; a matter ſo odious to our nature, to whom generally that people have carried themſelves as becometh natural and loving ſubjects, that we would have it one of the firſt works you ſhould do to ſecure them from ever being called in queſtion for any offence done either before or in the precedent rebellion, upon any pretext whatſoever. And next to aſſure the meaner ſort of our protection of them againſt any of their lords, or other gentlemen in their countries, that ſhall upon any colour or advantage uſe extortion or oppreſſion towards them: provided always, that they do ſeek redreſs by the ordinary courſe of our laws, or otherwiſe by orderly complaint, as befitteth good and loyal ſubjects. You ſhall alſo remember to bethink you of ſome courſe how the north may yield ſome compoſition towards the maintenance of ſome of theſe garriſons; but not proceed any further than by way of private conſultation and advice, until we be further informed. So ſhall you do for reviving the old compoſition for Connaught, or elſewhere,

elſewhere, and particularly for Munſter, where we think it might be ſo uſed, as the towns there might very well eaſe our charge, by contributing to the maintenance of the ſoldiers in that province, portions of victuals in reſpect of liberties forfeited, or to be eaſed from ſome other burthens, which may by our lawful prerogative be uſed to their further charge; which will be beſt effected, if you forbear to grant them confirmation of their charters, till further conſiderations be had of all theſe things. Further, our pleaſure is, that a reſtraint be made preſently of paſſing the ſpiritual lands in the north, or elſewhere, either by leaſe or other grants in fee, without our warrant ſigned; and that a very ſufficient inquiſition be made of what lands, ſpiritual or other, are now in our power to diſpoſe, and eſpecially in the county of Monaghan, that upon the return thereof there may be order taken for diviſion of that country to the Mc. Mahons, according to former promiſes made unto them, and otherways, as we ſhall think meet.

Thus have you, for the preſent, ſome ſuch memorials, as may open unto you the ſcope of our intentions, all which we do refer to your diſcreet carriage, not meaning to proceed in any thing without moderation, which may ſtand with the peace and quiet of that realm, knowing well that time and opportunity muſt be taken according to occaſion; and yet that no good concluſion on the other ſide can ever follow, ex-

cept there be an orderly and ſpeedy beginning, wherein we doubt not but God will bleſs both your labour and ours, according to our inward mind, which affecteth nothing elſe but to reduce that kingdom, by all good means, to a conſtant peace and felicity, as one of the crowns which God hath committed to our care, wherein we will never be wanting. Given under our ſignet, at our honour of Hampton-court, the xvith day of October 1604, in the ſecond year of our reign of England, France, and Ireland, and of Scotland the eight and thirtieth.

LETTER IV.

To our right truſty and well-beloved Sir George Cary, knt. our deputy of our realm of Ireland, and to the chancellor of that our realm, and the reſt of our council there.

JAMES R.

TRUSTY and right well beloved, we greet you well. At the humble ſuit of you, our deputy, oftentimes renewed unto us ſince the laſt ſpring, to be licenſed in regard of your health, and for your own particular affairs, to come over hither, we did, by our letters written the 24th of July laſt, grant you leave ſo to do, and gave you order to deliver over our ſword to Sir Arthur Chicheſter, knt. whom we made choice of to ſupply that place of chief governor there, with the title of juſtice of that realm, in the ab-
ſence

ſence of our lieutenant; which our pleaſure hath not been executed, becauſe you, Sir Arthur Chicheſter, have excuſed yourſelf of accepting that place, and ſent unto our council divers reaſons in writing to juſtify your ſaid excuſe, and to ſhow why you ſhould not be meet to undergo that charge; all which we have diligently peruſed and conſidered, but are not therewith otherwiſe moved, than to hold them good arguments of your own modeſty, but no grounds why we ſhould forbear to impoſe on you to undertake the ſervice laid upon you: for although in perſons called to publick charges of ſo great honour as that is, modeſty and ſlackneſs to accept them be a virtue as rare as it is commendable, when it is truly found; yet it is not juſt reaſon to princes to deprive themſelves of the ſervice of ſuch perſons, but rather a motive to call them forward. And ſeeing that the ſufficiency which moved us firſt to chooſe you, and doth now in your excuſe verify itſelf, ſhall be ſupported with the countenance of our commiſſion and authority, we doubt not, both together ſhall ſo enable you, as for the time we mean to ſee your ſervice in that charge, the ſame ſhall be ſupplied to our contentment, and to the encreaſe of your merit in former ſervices; wherefore we have reſolved to lay the place of deputy in that kingdom upon you, and do command you, for our part, to accept the ſame. And you, our now deputy, upon the receipt of theſe our letters, as ſoon as things may conveniently be put in order for the ſolemnity uſed in like caſes, to deliver

up our ſword to Sir Arthur Chicheſter, as our deputy, and to make unto him, under our great ſeal there, all ſuch commiſſions or letters patents, as have been uſed to be made to our deputy there, or as ſhall be needful for him, for the exerciſe of that charge. And that being done, you, Sir George Cary, may return to us ſo ſoon as you think fit, for your health, having ſettled ſuch things as ſhall require your advice upon this tranſlation of the place to another's government; wherein, becauſe there are many things that do require both reformation and better eſtabliſhment of that kingdom: for which purpoſe no conſultation is ſo proper as by calling the three eſtates of the realm together, to conſult and reſolve of all things tending to the good of the realm, we have thought fit to let you of our council know, that we are reſolved, ſo ſoon as our greater affairs are paſſed over here, to ſend authority for ſummoning of a parliament, to which end we mean to conſider here, by the help of ſuch advice as we ſhall have from thence hereafter, of all ſuch things as are moſt neceſſary; towards which we ſhall be the better aſſiſted, by hearing your opinion firſt upon your arrival, as we ſhall likewiſe expect to do from our deputy that remaineth behind you, who ſhall receive like directions from us to enter into conſultation thereupon, and theſe our letters ſhall be your ſufficient warrant and diſcharge in this behalf. Given under our ſignet at our honour of Hampton-court, the 16th day of October, in the

the ſecond year of our reign of England, France, and Ireland, and of Scotland the eight and thirtieth.

LETTER V.

To our right truſty and well-beloved Sir Arthur Chicheſter, knt. our deputy of our realm of Ireland.

JAMES R.

TRuſty and right well-beloved, we greet you well. Upon further conſideration of ſuch memorials and propoſitions as have been offered to us by thoſe of the council of that realm, ſent from you, authorized to communicate unto us your counſels of things needful to be done for the well ſettling of that ſtate; and after conſultation had with our privy council here upon them, we have thought good to ſignify our pleaſure to you upon divers points thereof, and the reſt ſhall follow, as our affairs here ſhall give opportunity: firſt, for the better adminiſtration of the juſtice of that kingdom, which is the beſt contentment that a ſovereign can yield to any ſubject, we are pleaſed to encreaſe in either of our benches there, one juſtice more, with competent fees and allowances; and will make choice of ſufficient perſons from hence, by the advice of our chancellor and chief juſtice here, to ſupply thoſe places, and will qualify them either with the titles of ſerjeants

 before

before their going, or otherwiſe, in ſuch ſort as ſhall be thought meet for them, the better to authorize them. And to them, that both they and all other our juſtices there, may exerciſe their places with more reſpect among our people, we think it fit they ſhould all uſe ſuch robes as the judges of our realm here have, and the ſame to be furniſhed at our charges, for which theſe ſhall be warrant to you our treaſurer, to make them allowance of twenty marks yearly the piece, for twelve yards of cloth in grain, and furrs for their ſaid robes, as here is allowed in the ſaid realm to the barons of our exchequer, for their robes; and for you, our deputy and council, to give warrant by *concordatum* for the payment thereof. And we are likewiſe pleaſed. that for the countenancing of the principal officers of our juſtice there, the two chief juſtices, the chief baron, and all judges in their circuits, ſhall be honoured with the title of lord, as in this realm is uſed; and do authorize you, our deputy, ſo to ſtile and intitle them, and to make it known to all our people there, that they may reſpect them accordingly. And where we are informed that Sir John Everard, one of our judges there, though otherwiſe commended for his knowledge and upright carriage in our ſervice, is a notorious and obſtinate recuſant, ſo as the example is ſcandalous, and an encouragement to others, whom, for his good parts, we would not publickly diſgrace; yet, in regard of his recuſancy, we cannot, without wound to our

conſcience,

conſcience, as well as for example ſake, think meet inſtruments, adviſe him preſently to reſign voluntarily his place, and to take ſome allowance of us for his maintenance in private life, leſt that we be forced, rather than to ſuffer him to be an example of diſobedience to others, to remove him by authority. And we hold it alſo neceſſary, for your better information of the execution of juſtice in that realm, that the judges of our benches, and other juſtices of aſſize and gaol-delivery attending the ſtate there, ſhall make ſeveral circuits and progreſſes once in every year at the leaſt, into the provinces of Munſter and Connaught, ſo as the true ſtate of things in thoſe remote places may be from time to time diſcovered and reported to you. And touching particularly the ſettling of the province of Ulſter, we have given a commiſſion under our great ſeal here, for diviſion and bounding of the lords and gentlemens livings, and ſuch other purpoſes as is by you required, which commiſſion is penned by good advice of our learned council here, and the particulars hereof will appear to you by the reading. That which reſteth for us to do, is but to recommend unto your diligence the execution of that in ſuch ſort, that the fruit may follow, which we are put in hope ſhall. We have alſo directed to ſome of you a commiſſion to compound with our ſubjects there for defective and imperfect titles, according to the pattern of that which is in execution there; and have reſolved from henceforth to grant no more warrants of

lands, coming within any titles of concealment; becauſe we hope that thereby both our people ſhall receive contentment, and our coffers ſome augmentation, by the compoſition with the tenants of ſuch lands. One other commiſſion we have now renewed upon your requeſt, for compoſition for old debts and arrears of rents, with ſome enlargement of the commiſſioners power to abate in the principal what in diſcretion they ſhall think meet; in which inlargement we muſt expect their diligence and fidelity in examining the cauſe of the ſaid abatements, before they yield to them; and likewiſe their providence, that if any ſuch abatements be demanded by ſuch as make reclaim of debts from us, that before they yield to them, they obtain a diſcharge for us of all ſuch debts as are pretended to be due by us to any ſuch petitioners, and of their proceedings in this commiſſion, we require you that we may have a due certificate every ſix months, ſo as we may diſcern thereby of the loſs or benefit we receive by this truſt given to them: and in this matter of our revenues, we have thought good alſo to direct you, that from henceforth all rents, compoſitions, and profits whatſoever, growing due to us within any of our provinces there, as Munſter, Connaught, or elſewhere, be paid into the receipt of our exchequer there; and that the juſtices and ordinary officers of our ſaid provinces, be paid out of the receipt of the ſame revenues and compoſitions: and likewiſe our pleaſure is, that all other compoſitions

poſitions in the pale, as Leinſter and elſewhere, ſhall be paid into our receipt, And for that we are informed much offence hath heretofore been taken by our people there, at the purchaſing of land by ſurveyors and eſcheators, upon offices found by themſelves, whereby alſo our revenue hath not been a little prejudiced; our pleaſure is, that you take order now for the preſent, as well as you may, and further hereafter by parliament, that no ſurveyor or eſcheator ſhall purchaſe any lands of his own finding or ſurveying; and hereby you may perceive what our determination is for our affairs there; for the execution whereof, you ſhall ſhortly, either by our ſaid ſervants at their return, or otherwiſe, receive ſuch commiſſions and warrants as be neceſſary; and in the mean time underſtand further, that we are ſo well ſatisfied of your diligence and care taken in thoſe things which we recommend to you, and of all other parts of your ſervice, as we would not forbear to utter it unto you for your comfort and encouragement in the reſt of your proceedings, whereof you ſhall in time convenient reap the fruit at our hands, when occaſion ſhall be offered for you to ſeek, and us to perform it for you. Given under our ſignet, at our palace of Weſtminſter, the 27th day of June, in the third year of our reign of England, France and Ireland, and of Scotland the eight and thirtieth.

LETTER VI.

To our right truſty and well beloved Sir Arthur Chicheſter, knight, our deputy of our realm of Ireland.

JAMES R.

TRUSTY and right well beloved, we greet you well. Since our former letters of the xxiid of the laſt month we have been made acquainted by our council with two diſpatches received by them from you, the one of the xviiith the other of the xxiiid of the ſame month, upon the ſeveral points whereof we have had conſideration with them, and do hereby return you anſwers. And firſt touching that of the xviiith, the parts whereof are two; firſt, a report of your proceedings with the ſhires of the pale, about the compoſition for ceſs and the concluſion taken therein, it needeth no other anſwer but our approbation, and that we do take in good part your pains and induſtry therein uſed, and do require you to continue your like diligence with the other five ſhires, to reduce them to a like compoſition, according to your purpoſe ſignified in that letter; which compoſition to the end it may ſurely be maintained, and our honour and your credit therein preſerved with our people; we have taken order for the ſending away from hence preſently of the ſum of fourteen thouſand pounds, with ſpecial charge

charge to the treaſurer that no part thereof ſhall be iſſued here for any reſpect whatſoever, but that the ſame ſhall come wholly into the kingdom to ſupply the wants thereof, whereby the ſecond part of that your letter is ſatisfied, being, in effect, nothing elſe but an earneſt expreſſing unto us of thoſe wants. And we have further given order, that to prevent the like neceſſity hereafter, there ſhall follow within ſix weeks or two months, other ten thouſand pounds, and ſo from time to time ſuch other ſupplies as our great expences here may give us leave to afford. Your other letter is of many points, whereunto thus are our anſwers in order; firſt, touching the country of Monaghan, for which you deſire authority from us to diſpoſe of it in ſuch ſort as may raiſe ſome benefit to us, yielding now none at all; upon particular information from our lieutenant there how the ſtate of that land doth ſtand; we have thought good to give you authority according to your deſire, to uſe your beſt diſcretion in raiſing benefit unto us, having regard in the diſpoſing thereof to obſerve ſuch premiſſes as heretofore have been made by our ſaid lieutenant, to ſeveral perſons owners of parcel of that country, of which premiſes ſome are paſſed by him jointly with you of the council, and ſome by himſelf; and of thoſe that were made jointly with the council, the memorial will be found in the council cheſt there, and of thoſe which paſſed from himſelf, he will advertiſe you, and thereby you may take ſufficient light how to obſerve

ſerve this caution, the reſt being left to your diſcretion upon this occaſion : you move us next for power to be given you to take ſurrenders from the Iriſhrie, and to regrant them their eſtates, wherein you ſhall receive ſatisfaction when ſuch commiſſions ſhall come to your hands as upon ſpeech with Cooke and Davis ſent from you, we thought good to direct unto you, amongſt which you ſhall find ſuch authority committed to you as in this point you deſire ; and for the better execution of that and ſuch other commiſſions, as by your former memorials brought by Cooke and Davis you require to be granted for the eſtabliſhing of things in the province of Ulſter; we had before the receipt of theſe your laſt letters, cauſed our letters to be written to the earl of Tyrone and Tyrconnel, and other perſons of quality in that province, to ſuch purpoſe as you deſire, of which letters there ſhall be half a ſcore ſent unto you ſigned with our hand, which when you have peruſed, you may ſeal with our ſignet there, and direct to ſuch of them as you ſhall like beſt to make choice of: we do allow of your courſes taken to clear that coaſt of pirates, by arming out ſome barks at our charge, againſt them ; and we are well pleaſed that you ſhall do the like as often as there ſhall be neceſſary cauſe, until we ſhall take order for ſome of our men to remain there, wherefore we mean to have ſpeeche, and to take reſolution with our admiral upon his coming home from his journey : we do alſo like of the journey

ney of you, our deputy, intended into the north, as well for other cauſes as chiefly to compaſs things between the earl of Tyrconnell and Neale Garvey, touching both whoſe particular cauſes, this is our anſwer to that which you have written concerning each of them; firſt, for the earl of Tyrconnel, we do like well of your apoſtiles to the ſeveral parts of his ſuits, recommended heretofore to you from our council; and for the matter of his ſurrender wherein it ſeemeth you have been ſomewhat dainty in regard of want of authority from us, if there be none other reſpect to ſtay you but that, we do hereby give you warrant and authority to proceed in it: but becauſe we conceive he ſeeketh it with ſome drift to make to himſelf other advantage than were fit to be granted him, and as it ſeemeth by ſome here, he hath not wards to carry the Lyffer, we have thought it not amiſs to give you this caution, that you be not overſeen that under colour of ſurrendering his former letters patents, he get more than he had before, or ſurrender ſuch lands as he hath gotten ſince from the freeholders of his county, and ſo paſs a new eſtate of them to himſelf, the ſame being contrary to the purpoſe we have to eſtabliſh freeholders in that province; rather you ſhall let him know that you will not accept of his ſurrenders, and re-grant his lands unto him, except he will relinquiſh all title and claim to the ſaid freeholders, and ſuffer them quietly to enjoy their eſtates as they did before his firſt letters patents.

patents. And if he have not wards for the Lyffer, which Sir Henry Dockwray poſſeſſeth ſo much to be reſerved, then all you can do is to ſeek it by voluntary compoſition, for in other ſort we mean not to offer any violation to our word. For Neil Garvey, we are contented and do hereby authorize you to paſs unto him ſuch lands parcel of Tyrconnel, as were excepted out of the earl's grant and reſerved in our hands, having care that you make the ſaid lands as certain and as well diſtinguiſhed as poſſible you can before you paſs the grant; and we are likewiſe pleaſed to the end that quietneſs may be ſettled between him and the earl, in your treaty with the earl you ſhall make as good an accord as you can between them, and for the doing thereof theſe your letters ſhall be your warrant: and like warrant do we give you hereby to paſs to the heirs of Sir Bryan Mc Phelim, namely Shane Mc Bryan O'Neile, the ſon of Neile Mc Hugh O'Neile and the ancient freeholders, ſuch portions of the lower Clandeboy; as you in your diſcretion ſhall think meet to be allotted to each of them. Touching the reſolution you do crave that we would interpret ourſelf upon ſuch warrants as here before we have granted to divers of our ſervants for lands in fee-farm, comparing the ſame with ſuch reſtraints as we have likewiſe made of lands of ſeveral natures not to paſs, we would have you underſtand, that it is impoſſible for any direction to be given from hence, ſo expreſſive as may not be ambiguouſly

conſtrued,

conſtrued, if men take every thing literally, and do not rather uſe the true meaning than the word, for it was never our purpoſe, that our reſtraints given but by way of caution ſhould be ſo conſtrued as utterly to fruſtrate our rewards intended to our ſervants, nor our warrants given to them ſo liberally as to take from us any thing that were with notorious inconvenience to be let go; but that the diſcretion of you and our council, and ſuch other of our officers whom it concerneth ſhould be moderate between both, as that our gifts to our ſervants be ſatisfied with thoſe things that be of leaſt prejudice to us, wherein if any of you doubt to reſiſt any man's importunity in doubt how we will protect you, it is that whereof you nor none elſe ſhall have cauſe to be jealous, for it hath ever been our cuſtom, and ſhall be, to protect publick miniſters.

LETTER VII.

To our very good lord Sir Arthur Chicheſter, knight, lord deputy of the realm of Ireland, and to the reſt of the council there.

JAMES R.

AFTER our very hearty commendations to your lordſhip and the reſt, the report and the reaſons of your proceedings are rather beginning to redreſs the corruptions of religion in

in that ſtate; and the great enormities that do and may enſue thereof, have been by your letters of the 5th of the laſt month, ſo well delivered unto us, as might ſuffice for anſwer briefly, and in generality to return our approbation of your doings, if it were that we ſuppoſe that you are deſirous to receive the ſame by a more expreſs declaration of our mind in the particular points. And that it may do ſome good with thoſe that are averſe in religion, and affection to find ſo perfect a conſent and concurrence of our judgment with yours; and therefore to follow the ſteps of your own letter, when we conſider how pitifully in reſpect of themſelves, and how dangerouſly both to this and that ſtate the people there by the wicked ſeducements of ſeminary prieſts and jeſuits are addicted unto their ſuperſtition; and that there is no other means to reclaim them, than by a commanding authority, that may draw them to be preſent at Divine ſervice, and to hear God's word for their inſtruction; and that the commandment cannot take place unleſs it be publiſhed, nor be any way ſo well publiſhed as by proclamation, nor the proclamation be available, unleſs puniſhment be impoſed upon contemptuous diſobedience: We cannot but approve the courſe you have taken, and ſo much the rather, becauſe this diſobedience being ſhewed by thoſe that are in the eye of the ſtate, and magiſtrates in the chief city of that kingdom, it was not to be ſuffered, that either their example ſhould by impunity animate others

others to the more obſtinacy, or that the honour and authority of the deputy ſhould receive ſuch an affront, as to be left publickly by them, where they ſhould eſpecially attend him; or that his majeſty's lenity and gentleneſs, being deſirous to reclaim his people rather by inſtruction than by ſharp and rigorous correction, ſhould ſo be miſconceived and miſinterpreted, as he would be content to permit his people to make open profeſſion of that religion, or rather damnable ſuperſtition; whereby, as it appeareth daily more and more, they are not only withdrawn from the true worſhip of God, but from their allegiance unto himſelf. And as we think both the order that you have taken for reformation, and the puniſhment that you have inflicted upon ſome of the aldermen of Dublin, and certain others, whom your letters mention, for their contempt, to be not only juſt, but neceſſary, when you found your endeavours by admonitions and perſuaſions not to be regarded. And do conceive the like hope with you, that as ſome are already, ſo many more will be by this means brought to conformity, who perhaps hereafter will find cauſe to give thanks to God and you for being drawn by ſo gentle a conſtraint unto their own good: ſo we are of opinion, that the petition, or rather oppoſition, made by the noblemen and gentlemen of the pale, againſt the courſe you have taken, deſerve that cenſure which you have given of it, and not leſs puniſhment than you have decreed againſt the ſpe-

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cial authors and inſtruments that ſet it on foot, which though it be ſhadowed and covered with words of much humility and dutifulneſs, and with an outward form of ſubmiſſive petition, yet who can be ignorant that ſuch petitions conſulted upon in conventicles, agreed by combinations, and offered againſt a publick reſolution of ſtate; howſoever, they are mannerly in outward appearances; yet, in very deed proceed commonly from a mind apt to diſobedience, which many might doubt, if it had means and opportunity, would utter itſelf in another form. But we will think better of theſe men, and hope that this gentle remembrance will make them more adviſed hereafter, amongſt whom it would not ſeem ſtrange unto us to find Sir Patrick Barnewall, having had ſome proof heretofore, even in a like cauſe, of his unquiet and troubleſome ſpirit; but that we thought he would have made the experience and acknowledgment of his own former error and raſhneſs, a ſufficient leſſon for more temperate and dutiful behaviour. But foraſmuch as he did not only make himſelf a principal inſtrument with the reſt in the petition; but alſo as you ſignified when he was called to account for it, obſtinately, and in indecent manner, defend it; and moreover hath laid an imputation of great injuſtice upon your proceedings, charging them to be very conſtreintable, and contrary to all form of law, and taxing therein the now chief juſtice Sir James Loy, for a man generally hateful and ſcandalous

ſcandalous to the place that he holdeth, wherein he never had been placed, but that he was, and is thought a perſon of both very great judgment and integrity: we have thought meet to pray and require you to take order, that he the ſaid Sir Patrick Barnewall, with ſuch ſpeed and opportunity as you ſhall think convenient, may be ſent hither with ſome one of your ſervants in his company, after ſufficient caution put in for his repair into this realm, and unto us, that we may the better by himſelf underſtand the reaſons of his own juſtification in that preſumption of his, to tax the ſtate in general of injuſtice, and the court of chancery eſpecially, of unlawful and diſorderly proceedings; as alſo to hear what the things are, in which he can make proof of ſuch unworthineſs in that miniſter, of whom his majeſty had ſo commendation and experience, and ſtill retaineth ſo firm an opinion, as he will be pleaſed not to alter or change the ſame, until he find very juſt and ſufficient proof to the contrary. And to the end he may before his coming from thence be better prepared to yield you reaſons of the imputations before-mentioned, or by his letters hither, knowing his charge, write over ſomewhat unto us; we have ſent you ſome particulars of his information to one of this table: as for the reſt, we refer them to ſuch order as you have taken, or ſhall ſee cauſe to take, according to juſtice, and their merit; hoping nevertheleſs, that either they have already made, or will make ſuch amends for their

fault, by ſubmiſſion and acknowledgment, as may give cauſe of favour towards them; and for our parts we ſhall ever be ſo far from giving way to any that may come from thence, to impair the credit of your actions, by any ſuit or endeavour, either to his majeſty, or unto us, eſpecially in a matter of this ſort, wherein we are bound to concur with you, not only in juſtice of ſtate, but only in conſcience towards God, as that you ſhall be ſure to find us always ready and willing to join our advice with yours, for the beſt ſervice that may be done to God and his majeſty herein, concerning any other particular of your letter; as namely, the publiſhing of the manner of the late inhuman and deteſtable treaſon againſt his majeſty's ſacred perſon, and the whole ſtate; the true notice whereof, as you ſignify, bred good effects of publick gratulation, and for repreſſing of ſtrange reports, the reſtraint of paſſage hither of Iriſh ſoldiers, or ſuitors at this court, or common beggars abroad; and your purpoſe of cauſing a tranſlation to be made of our common prayers into the Iriſh language: we need not to return any more words, than that theſe things deſerve commendation and thanks. And as for the abſence of the treaſurer, and ſupply of the place of the ordnance, as his majeſty hath in the latter made a very good election; ſo will we not be unmindful to take order for the other, as ſoon as it may be with convenience, and according to his majeſty's good pleaſure. And ſo we bid your lordſhip very heartily

heartily well to fare, from the court at Whitehall, the xxiiiith day of January 1605.

Your lordſhip's very loving friends,

R. Cant. T. Elleſmere, canc. T. Dorſett. Nottingham Suffolk. Gilb. Shrewſbury. E. Worceſter. Devonſhire. H. Northampton. Saliſbury. Exeter. E. Zouche. W. Knollys. E. Wotton. Jo. Stanhope. Jo. Forteſcue. Jo. Popham. Harbert.

LETTER VIII.

To our right truſty and well-beloved Sir Arthur Chicheſter, knight, deputy of our realm of Ireland.

JAMES R.

RIGHT truſty and well-beloved, we greet you well. Having made ſome alteration in the eſtabliſhment of our forces and charges of that realm, wherein we had uſed the advice of the late earl of Devon, our lieutenant, before his ſickneſs, and by him perceived, that he had therein taken ſome information from you, we have thought good to direct the ſame to you, ſigned with our hand, to ſerve for your warrant, to reduce our garriſon there to the ſtate thereby preſcribed, and from henceforth to make out all your warrants for payments, according

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to the ſame. And we have ſignified as much to our treaſurer, and delivered him alſo one other copy of the ſame eſtabliſhment, ſigned with our hand, to remain with him for his direction. And we doubt not but that our pleaſure being in this manner made known to you, you will conform yourſelf thereunto; and of your proceedings, to advertiſe us, or ſuch of our council, as we have appointed to attend unto the affairs of that realm, from whom alſo ſuch directions as you ſhall receive in our name, touching our affairs there, we require you to ſee performed. And although we have not cauſe to doubt any accident in that realm, that may occaſion an increaſe of our charge, yet have we thought it convenient, for that your charge is over a people of uncertain diſpoſition, as former proofs have ſhewn, to arm you with authority and warrant, that whenſoever any thing ſhall happen, that you ſhall think meet to be prevented or reſiſted with a greater force than our ordinary there, and may not abide expreſs direction from hence, you may at your diſcretion, levy one or two thouſand men or more, and put them into our pay, and make warrant to our treaſurer to pay them, until we ſhall give other direction. And where there were ſome officers, as a ſerjeant-major, a ſcout-major, and two corporals of the field, expreſſed in our ſaid late eſtabliſhment, which have not always been maintained as an ordinary charge, but only had allowance of entertainment, during the time of their employment in the field with

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our army: and then by concordatum, conſidering that they are ſervitors of good deſert, and fit to receive from us ſome conſideration for their better maintenance, we are pleaſed, that the ſaid ſcout-major and two corporals, ſhall receive the ſame pay that hitherunto they have done, but in another nature, namely, by way of penſion, as by our ſaid eſtabliſhment now ſent you will appear; and with this caution, that not only they be in readineſs to attend their places of ſcout-majors and corporals at all times, and as often as you ſhall have occaſion to uſe them; but alſo, that now for the preſent they do execute the place of provoſt-marſhal, of which office you write, that there is great uſe at this time; and they having our fee, are meeteſt to attend it, which therefore, in our name, you ſhall charge them to do. And for three other needleſs officers, namely, provoſt-marſhals, viz. one in Carrickfergus, one in Loughfoile, and the third at Ballyſhannon, which are not now neceſſary, and the perſons exerciſing them not of ſuch merit as others, we have eaſed ourſelves of that charge, and left them out of our eſtabliſhment; and yet if there ſhall be occaſion hereafter, to take any ſuch officers into our pay again, our pleaſure is, that theſe now diſcharged, be employed in them before any others. And where we have taken from our charge the number of one hundred and forty horſe, and reduced our foot to eight hundred and fourſcore, to be divided into eighteen ſeveral bands, as by

a liſt of them herewith ſent you will appear; and which bands are now caſt, and have reduced the remain of our horſemen, to the ancient rate of twelve pence the piece, by the day, being informed that our treaſurer at wars, for the time being, and the maſter of our ordnance there, have always had each of them a band of footmen, for their better ſecurity in all our ſervices; which nevertheleſs, have ſtood in the ſame rank with others, as well in being ſubject to muſters and cheques, as in performance of all other duties required, but lately have been taken from them, by what reaſon we know not; our pleaſure is, that after this reducement of our army to eight hundred and fourſcore, that upon the death or other avoidance of any our ſaid captains of foot, the firſt band ſhall be aſſigned to our ſaid treaſurer of wars, and the ſecond to the maſter of the ordnance, and they to retain them as in former times, till our expreſs pleaſure be ſignified to the contrary. And foraſmuch, as ſundry captains and officers lately diſcharged, have hitherto, as a charge ſtood in our eſtabliſhment, moſt of which are abſent from them, contrary to our former pleaſure ſignified in that behalf; ſome in the ſervice of other princes and ſtates, and other ſome rewarded by us with penſions, payable out of our exchequer here, we have now diſcharged them all. And if upon the perfecting of their accounts, to the laſt of the laſt March, it appears that any monies are remaining due to them, and owing by

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us, they ſhall receive order for the payment of the ſame, proportionable to the monies of that country. And for that in the late ſervices in that our kingdom, ſundry perſons have been for their deſerts, rewarded with penſions, above our ancient ordinary allowance of four pounds nineteen ſhillings and two pence *per diem*; our pleaſure is, that as often as any of them contained in our eſtabliſhment, over and above the ſaid four pounds nineteen ſhillings and two pence *per diem*, ſhall die or alienate their ſaid penſions; the ſaid penſions ſhall not be granted to any other without our expreſs letters, or letters from our council, ſignifying our pleaſure for the beſtowing of any ſuch. And the ſaid four pounds nineteen ſhillings and two pence *per diem*, to remain unabated, to be diſpoſed of by you to recompence ſuch ſervitors, as you in your diſcretion know are worthy thereof; wherein we muſt advertiſe you, that we are informed, that there hath been an ill cuſtom in uſe there, to permit thoſe penſioners when they grow old, to put away their places to younger perſons, whereby ſeldom do any become void, for the reward of ſervitors, which was the true inſtitution of that charge. And do thereby require you to have care, that from henceforth no ſuch tranſlation of penſions be ſuffered, but that as they ſhall fall they be conferred upon men of deſert, wherein both we ſhall have both eaſe of charge, in that many may be ſo rewarded, who elſe will have penſions extraordinary, and our deputy there from

from time to time have honour in providing for thoſe that deſerve well. We have alſo reduced the commiſſaries of muſters to two, and no more; which being well looked unto by our muſter-maſter and comptroller, are ſufficient, with their aſſiſtance, to muſter our army without any further charge to us; and for the Iriſh foot and horſe by us hitherto allowed pay in our eſtabliſhment, we doubt not but before this time they have provided alſo means for themſelves to live upon, and not ſtill be burthenſome to us; nevertheleſs, if you find it convenient for us to continue ſome of them in our pay, upon notice from you of their names and deſerts, we will provide for them as is meet. And ſo having run through the particulars of our eſtabliſhment, we further ſignify unto you, that our pleaſure is, that all the abatements aforeſaid, ſhall take end the laſt day of the laſt March; and this our eſtabliſhment now ſent you, to begin and take place the firſt day of this inſtant April; only the horſe and foot to be contained in our pay to the day that they receive notice of their diſcharge; which notice, for the more ſpeedy eaſe of our charge, we doubt not but in diſcretion you will cauſe to be given them with all ſpeed, which courſe we likewiſe require to be held with thoſe foot that were diſcharged the laſt year, by virtue of our eſtabliſhment, beginning the firſt of April 1605, which arrived not there till May following, by which reaſon they could not be diſcharged before they had notice of our pleaſure:

pleaſure: and for your doing in this behalf, theſe our letters ſhall be your ſufficient warrant and diſcharge. Given under our ſignet at our palace of Weſtminſter, the laſt day of April, in the fourth year of our Reign of England, France, and Ireland, and of Scotland the thirty-ninth.

LETTER IX.

To our very good Lord Sir Arthur Chicheſter, knt. lord deputy of the realm of Ireland, and to the reſt of the council there.

JAMES R.

AFTER our very hearty commendations to your lordſhip, *viz.* whereas it hath pleaſed God to call to his mercy our very good lord the earl of Devonſhire, late lieutenant of Ireland, and a worthy member of this table; in regard of both which qualities, eſpecially of the former, the greateſt part of your directions have come from him, to whoſe experience and merit in that kingdom, his majeſty and we did attribute ſo much, as we forbear in moſt particulars to intermedle; foraſmuch as now his majeſty's council is bound to reſort to the courſe of former time, which is to hold that correſpondence with you and that council continually, as you may both receive orderly directions when there is juſt cauſe, and be timely ſatisfied in your demands, we have thought good hereby

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not only to give you aſſurance of the great care we have and will have for the good of that eſtate to which our publick duties tie us, but withal to give your lordſhip, his majeſty's principal miniſter, and all that council thus much further comfort, that we will not be wanting in the true report and recommendation to his majeſty of all your good endeavours both in general, and in particular; you ſhall therefore now underſtand that we account it an argument of your good diſcretion, in that you have ſo well concurred with his majeſty's intention concerning your late courſe with thoſe that ſhewed ſo publick contempt to the religion profeſſed by his majeſty and the ſtate; the firſt part of your publick proceeding by proclamation, as you know being principally intended for preventing thoſe miſchiefs which were like to enſue by thoſe falſe and current opinions which were received and factiouſly diſperſed of his majeſty's purpoſe, to grant toleration of popery in that kingdom, the ſame having both begotten great boldneſs and inſolence in thoſe that were before infected, and having in a manner invited ſuch as were unſettled to fall from the profeſſion of the religion avowed and eſtabliſhed in both realms, wherein as we do very well approve your proceedings towards particular perſons whom you find contemptuous and ſeditious, eſpecially ſuch as profeſs it ſo factiouſly, and there make themſelves prolocutors for multitudes, avow harbouring and uſing of prieſts, and in a word ſo publickly
refuſe

refuſe that outward obedience and reſpect to governors and officers of authority, as it calleth the greatneſs of his majeſty's power into contempt, and implieth a purpoſe in them to affront the true religion in them and profeſſors of the ſame, ſo his majeſty doth alſo wiſh it to be conſidered, that when the ſtate hath once in ſuch caſes declared itſelf in general whereat it aimeth, the conformity muſt be wrought with time, and by the care which you muſt take to enlarge the paſſage of God's word, by choice and plantation of ſufficient and zealous men to teach and preach the ſame to his people; wherein we have more hope of good effects by the favour of God, than by any ſudden or violent courſe in that kingdom, where the people have had ſo little means as yet to be inſtructed, and ſo much for that point at this time. It now remaineth next, that we acquaint you with his majeſty's reſolution concerning the charges of his army yet ſtanding in Ireland, whereof as as we do truly confeſs that we account the remain to be commanded by as choice and well deſerving gentlemen as any prince or eſtate can have, not doubting but the world may make as good obſervations of the care which hath been taken to provide both ſtay and recompence for men of place and merit, when reaſon hath moved his majeſty to caſt the bands; ſo where his majeſty hath lately taken a reſolution to change the former eſtabliſhment according to a liſt which we do ſend you here, with all the ſame having

having been in effect agreed, but by the late lieutenant, as you well know by your mutual diſpatches concerning the ſame, though the perfecting thereof was prevented by his untimely death; we aſſure ourſelves you will be careful in this new alteration, to put the ſame in execution with all convenient expedition, and to make it appear in that ſide, that we have not ſo reſpected profit as not to have an eye over thoſe which have well deſerved, or that any one of us is ſo inſenſible of the value and uſe of men of martial profeſſion, but that we hold it our parts to be as ready to repreſent and honour their honeſt and reaſonable deſires to his majeſty, as we were in the times when there was great neceſſity to employ them. Only this we muſt ſay, for ſuch is his majeſty's own profeſſion to all men, that thoſe courſes which have been taken in the diſtribution of his liberalities, muſt not be the rules by which particular men muſt rate their ſatisfaction now or hereafter, becauſe the infinite weight of buſineſs lie ſo heavy upon princes and their miniſters in their firſt beginnings of government, as it is very ordinary or at leaſt no great error for princes, at ſuch times, to yield ſomewhat to importunity and information in their gifts, in which, if his majeſty ſhould not continue when his ſtate is ſettled, and the wants of his own crown duly conſidered, it were not only an argument of improvidence, but were rather an injury than an encouragement to the generality of good deſert, which often times ſuffers

ſers by ſeeing another extraordinarily rewarded, whoſe deſert is unequal to his; though at the ſame time peradventure he have as much himſelf, or more than he could challenge, but by compariſon. And now concerning your arrear to the army, in reſpect that proportion of treaſure ſent over, doth come ſo ſhort of the growing charge, we have now given order for as much as could be ſpared; and do require you to take the beſt courſe that may be to ſtretch it out, aſſuring you that we will take ſuch order ere it be long, as you ſhall be provided to your better ſatisfaction, for after you have once put that eſtabliſhment, which now is made, in execution, that will reduce the charge to ſome ſuch moderation, as we doubt not to be able to ſend you over ſo ſufficient a proportion, as may enable you to make even at all times. For other charges, that paſs by concordatums, your lordſhip knows; and the reſt there conſiſt much in tranſportation of victuals, both by ſea and land, from one place to another; which cauſe will not abſolutely be taken away: nevertheleſs, we deſire to hear ſome demand from you, within what proportion you think you may limit yourſelves, that thereby we may the better adviſe you to eſtimate the treaſure, except ſome great or unlooked for accident happen. Concerning the proclamation you have publiſhed, for reſtraining the importation of arms, munition, &c. into that kingdom, by without licence, together with your demands, that a great

great proportion of powder may be ſent into the kingdom from hence, for the ſervice of the ſtate, and uſe of the ſhipping, with your opinion, that many unſerviceable and unneceſſary kinds may be ſent hither from the ſtore, his majeſty liketh it very well, and hath commanded us to make known his pleaſure to the maſter of the ordnance, who is now upon diſpatch. In all which particulars, amongſt other things, we think it not amiſs to remember you of this firſt, that you be very careful in the uttering of any thing out of his majeſty's fort, for the ſubjects private uſe, at what price his majeſty hath it here, and what is the charge of tranſportation thither, for otherwiſe the loſs will be great to his majeſty, by this courſe. Secondly, where we obſerve your demands for ſupply of carriages, and other things, belonging to the mounture of your great artillery; we would have it well conſidered, that many of thoſe pieces of great ordnance, which were carried in the time of the earl of Eſſex, are fitter to be returned into England, than to have any new charge beſtowed upon carriages for them: but hereof we will forbear to ſpeak any further, becauſe the maſter of the ordnance is upon his diſpatch. Concerning the former motion made for compounding for penſions, it may appear unto you by the liſt, what order we have taken, to which refer you with this liberty, that if you know any thing in that particular which might be better ordered for his majeſty's profit, we deſire to be advertiſed you ſhall likewiſe

very

very ſhortly receive further help in his majeſty's ſervice by Sir Richard Cooke, his majeſty's ſecretary, and ſo ſhall you likewiſe by a gentleman of very good ſufficience, whom his majeſty hath appointed to ſucceed Mr. Treaſurer, his name is Sir Thomas Ridgwaie, and he prepareth to be gone about Auguſt: we have alſo thought it good to move the king, notwithſtanding theſe abatements intended, to give you commiſſion upon any ſudden irruption in that kingdom, to levy one thouſand men or more, to make reſiſtance in caſe there be ſo great neceſſity as you cannot attend to hear from hence, wherefore before you put them in pay, you ſhall do well, if ſuch an accident ſhall happen, to give us ſpeedy advertiſement: you ſhall underſtand that theſe parts about London and elſewhere, are exceedingly peſtered with a multitude of beggars of that country, being moſt of them peaſants with wives and children, the diſorder whereof muſt needs proceed by negligence of the officers of the ports and owners of barkes, by whoſe means their paſſage is ſuffered and obtained, for which we pray you to take better order, and ſeverely to puniſh all offenders; conſidering how great a diſhonour it is that ſtrangers ſhould behold them in our high-ways and ſtreets, and what a great eye ſore and burthen it is to his majeſty's poor ſubjects in this kingdom. Laſtly, whereas his majeſty for the better quieting of the middle ſhires between England and Scotland, thinks it convenient to have

ſome families, eſpecially of the ſirname of Grauvers, tranſported from thence into Ireland, we have thought it good to advertiſe your lordſhip of it, and to require you to adviſe amongſt yourſelves how the ſame families might be conveniently diſperſed, and what lords and perſons would be willing to entertain them. So we bid your lordſhip heartily farewell. From the court at Whitehall, the laſt of April 1606.

Your good lordſhip's very loving friends,

T. Elſemere Canc. T. Dorſett. Nottingham. Suffolk. Gil. Shrewſbury. E. Worceſter. H. Northampton. Saliſbury. E. Zouch. W. Knollys. J. Stanhope. John Popham. John Herbert.

LETTER

LETTER X.

To our right truſty and well-beloved Sir Arthur Chicheſter, knight, our deputy of our realm of Ireland, and to the reſt of our council there.

JAMES R.

RIGHT truſty and well-beloved, we greet you well. We have received your letters, one of the 30th of the laſt month, from you our deputy and council, the other one the fifth of this month, from you our deputy alone; by the peruſal of both which, we do collect a kind of invitation of us to ſome increaſe of our charge in that kingdom for ſome reſpect by you alledged, and differing from our laſt eſtabliſhment; wherein, as by our former directions ſent unto you, and by the reaſons of our proceedings in ſuch manner as we have done, with the leſſening of our army both in number and in pay, you may eaſily gather that it is unreaſonable to ſolicit us to any augmentations, ſo, for aught we find in your ſaid letters, we ſee no cauſe to aſſent unto any of thoſe propoſitions; for when we do conſider that by God's favour and goodneſs there is an univerſal peace in that kingdom, and likely to continue, by reaſon of the nearneſs of our kingdom of Scotland to the moſt doubtful parts of it, whereby we ſhall have better commodity

at all times to tranſport men or victuals into thoſe quarters: and foraſmuch as no man can deny but there is as good plenty now, and more daily to be expected of all things, as hath been at any other time of peace, and our pay now eſtabliſhed in the ſelf-ſame ſort, which in thoſe times of quietneſs was uſed there, and only encreaſed upon the breaking out of theſe rebellions or invaſion expected, when the men of war were to ſuſtain more difficulties than now they do, ſeeing it ſhall be within our power at all ſuch times as they ſhall happen, as we hope they ſhall not, eſpecially if you, and other our miniſters there, be careful to do your duties in the execution of juſtice, as hitherto you have done. To make ſuch alteration of our pay as we ſhall have cauſe to do, we have thought meet hereby to let you know that we find no reaſon to move us either to increaſe our pay, or to reduce the coin there to the rate of this our realm of England; the rather conſidering that our progenitors did ever maintain a difference between them, and held none other ſtandard for that kingdom but the very ſelf-ſame which we have reſtored; nevertheleſs, where in a proclamation publiſhed there the 11th day of October 1603, it is ſaid that the pieces of that ſtandard, of nine or five, bearing the name of a ſhilling, ſhall go current, and be taken for twelve pence ſterling; that word ſterling hath bred an error, and is ſo conſtrued, as if it were to be taken for ſixteen pence of the money of that country; ſo that he that is to pay us for

for rent or otherwiſe, ſixteen pence Iriſh, delivereth for the ſame but one harp, and eſteemeth the ſame as ſixteen pence Iriſh, becauſe the proclamation ſaith it is current for twelve pence ſterling, which maketh ſixteen pence Iriſh; we think fit, that by another proclamation, you do explain the ſame, and aboliſh the ſame name and uſe of ſterling in that kingdom, and ſignify that the ſame piece of ſhilling, being of the ſtandard of nine pence of ſilver, is to be current in that realm for twelve pence, and that the ſame is to be called twelve pence Iriſh, and not twelve pence ſterling, and ſo all pieces of the ſame other coin after that rate; for that ſterling is of doubtful ſignification, and it ſhall be more plain to us hereafter of all receipts and payments, the title of current money of Ireland, by which ſhall be underſtood money of the ſtandard of nine or five, proper to that kingdom.

As for money according to our advertiſement to you, we have now allotted for the ſervice of that kingdom twelve thouſand pounds, whereof four thouſand pounds are here paid in monies of England, and not in harps, to diſcharge your credit for money borrowed there, and eight thouſand ſhall come to you in ſpecie, to ſerve for growing charges; and ſome other of thoſe ſums of money which you have lately taken up, if you ſhall think fit ſo to diſpoſe it. The maſter of the ordnance hath received his diſpatch from us a good while ſince, but hath ſtaid here about ſome tranſport of the munitions, but we have

now peremptorily commanded him to be gone, and with him goeth ſome ſuch proportion of powder and munition, as is now ready, and the reſt ſhall follow after.

Where you deſire that we would limit a certainty for extraordinaries to be diſburſed by *concordatum*, we do not think it good huſbandry for us ſo to do; for that we aſſure ourſelves, that whatſoever ſum ſhould be allotted certain, would be certainly expended, as a thing warranted; but we think it fitter to make trial of your diſcretions and providence, by uſing the ſaid *concordatums* only upon urgent ſervices, and certifying the ſame to us every three months at the fartheſt, ſo as we may thereby diſcern what the care is which you uſe in beſtowing our treaſure, and comptrol ſuch titles of expence in extraordinaries as we miſlike. Touching Sir Oliver Lambert, and the diſpoſing of the fifty horſes which were under his charge, the allowance was made upon good deliberation; and the five and twenty horſes thought good to remain at Ballyſhannon, where they do, and under the ſame perſon, becauſe he is reſident there, and the other not, and we ſee no cauſe to change that order; but becauſe Lambert is an ancient ſervitor there, and of good deſert, we are pleaſed, that beſides his ten ſhillings by the day, which he hath as you know, and that grant of your poſſeſſions, which we are not ignorant to have been beneficial to him, we are pleaſed that he ſhall continue his lordſhip's pay, namely, four ſhillings by the day,

day, as he had before his diſcharge, until we ſhall otherwiſe advance him to ſome office or other benefit which ſhall fall in that kingdom or elſewhere, without any further charge, of which it is high time to begin to think, and not ſtill to trouble ourſelves with other particulars, and forget our own. The fifty foot which were Sir Samuel Bagnell's, and diſcharged by the eſtabliſhment, retained by you for the reaſons in your letters contained, we are pleaſed, that until the end of your journey intended, they ſhall remain in our pay, but then to be diſcharged according to the eſtabliſhment, and for that time our pleaſure is, that our treaſurer ſhall cauſe them to be paid. For governors, not mentioned in the ſaid eſtabliſhment, we perſiſt in our former direction, that ſuch as are not mentioned in the ſaid eſtabliſhment, or have not their places by letters patents during life, ſhall be diſcharged; and ſo you may let them underſtand, the rather conſidering they have been ſuſpended a good while ſince. And where you have recommended to us certain Iriſh to be continued in entertainment, we are pleaſed to allow a charge of three hundred pounds by the year for the entertainment of Iriſh, to be diſpoſed at your diſcretion, either to theſe or others, only limiting for the preſent, that Tirlagh Mc Art. O Neile be ſpecially provided for, at ſuch rate as you ſhall think meet, and ſuch other as may juſtly claim any conſideration. As for provoſt marſhal, we are to put you in remembrance, that there

are already four in our pay by letters patents, in each province one, which hath good entertainment, whom you are to compel to do their duties; and yet if it be ſo neceſſary as you write of, that there be more, we can be pleaſed to allow of two or three in places moſt neceſſary, their entertainment to be accounted amongſt the extraordinaries, and paid by *concordatum*, and to contain during our pleaſure. And for the commiſſary of muſters, we differ altogether from you in opinion of dividing the two allowed into four, becauſe their entertainment will be ſo ſmall, as will but encourage them to deceive us, rather we ſee no cauſe if this there were not men of deſert which there ſhould be any; but that our army being now ſo ſmall as it is, the muſter-maſter and comptroller of the muſters, having ſo good allowance from us, may by themſelves and their deputies, do the ſervice ſufficiently without any commiſſaries, and ſo we expect they ſhould.

Touching a motion made from you, about the ſitting of courts of juſtice within the Caſtle, and over the munition houſes, we have conſidered that the ſame is very inconvenient for many reſpects; and having ſo gracious a reſpect to perſons ſo well deſerving, as we are willing to be at ſome charge for the removing of them to ſome other place, and upon inquiſition do find, that the Blackfryers is held to be a place that may be well fitted for that purpoſe; wherefore we are pleaſed, that you ſhall cauſe the ſame to

be

be viewed, and an eſtimate made of the charge for preparing of it; and upon information thereof from you, we will give warrant for proceeding therein. Given under our ſignet at our manor of Greenwich, the 25th day of June, in the fourth year of our reign of Great Britain, France, and Ireland.

LETTER XI.

To our very good lord Sir Arthur Chicheſter, knight, lord deputy of the realm of Ireland, and to the reſt of the council there.

JAMES R.

AFTER our hearty commendations to your lordſhip, and ſince committing Sir Patrick Barnwell to the Tower of London, where he doth yet remain, we commanded him to ſet down the principal heads of his exceptions, either to the proceedings of the ſtate in general, to you the chief juſtice in particular: hereupon he wrote a letter to me, his majeſty's principal ſecretary, whereof this is the copy; in which we note three ſpecial exceptions. Firſt, he complaineth of ſending forth of precepts under the great ſeal, to compel men to come to church. The ſecond, he complaineth againſt you the chief juſtice, for denying private men to ſee their indictments, and hereto addeth an information of raiſing ſome new and exceſſive fees; by all which, though we perceive ſufficiently that

that this proceedeth from him from an unquiet ſpirit, labouring ſtill to make himſelf great in that ſtation, which is adverſe to the ſtate, of which we have made him perceive and feel our judgment: nevertheleſs, we think it good, before we fall to any uſual order with him, to acquaint you with our deſires to be ſomewhat cleared in the firſt important matter, to the intent that when we know your ground, we may the better pronounce and publiſh the offence of any that have or ſhall preſume to cenſure your proceedings. And this we do the rather, becauſe we pre-ſuppoſe you would not have taken that courſe, but that you find there ſome particular authority by law or precedent, which as yet is unknown unto us here. For the other two, we ſend you what he ſaith, and what he offereth to prove, to which we would have you ſend us ſome anſwer, rather for form ſake, than that we doubt of your being eaſily able to give us ſufficient ſatisfaction when you ſhall make us any anſwer, conſidering of what condition thoſe things are. In the mean time, foraſmuch as concerneth you Sir James Loy, we pray you to comfort yourſelf, that it is not in the power of falſe and froward informations (if they were never ſo probable) to make any ſuſpenſe of his majeſty's gracious judgment of your integrity, without clear and evident demonſtration, knowing well that the execution of juſtice itſelf makes magiſtrates obnoxious to malice and complaints: in which reſpects we are commanded by his majeſty to require

quire you to forbear to come over, both becauſe the ſame will be interpreted to your diſgrace, of whoſe credit we are careful, conſidering the circumſtances of his complaints, as alſo in reſpect of that neceſſity which the ſtate hath of your ſervice there; eſpecially in a time when his majeſty hath granted ſundry commiſſions to be executed for his ſervice there, and given ſo many new directions upon the death of the late lord lieutenant; and ſo we bid your lordſhip, &c. heartily farewel. From the court at Greenwich, the third of July 1606.

Your Lordſhip's, &c, very loving friends,

R. Cant. T. Elſemere, canc. T. Dorſett.
H. Northampton. Saliſbury. E. Zouch.
W. Knollys. Jo. Stanhope.

LETTER

LETTER XII.

To our very good lord Sir Arthur Chicheſter knight, lord deputy of the realm of Ireland, and to the reſt of the council there.

JAMES R.

AFTER our hearty commendations to your lordſhip, and having received ſundry diſpatches, ſome dated in July, and ſome in Auguſt, in which there are many things conſiderable for his majeſty's ſervice, and the good of that kingdom, we have deſcended into that particular conſultation, which this preſent time can afford us; and thereof have thought meet to make you acquainted by theſe our letters, grounded upon your's, as upon large ſpeech with our very good lord the earl of Clanrickard, to whom you have committed divers things, by way of memorial, to repreſent unto us; which he hath done with very great diſcretion and zeal to the publick ſervice; beſides good demonſtration of his particular affection to yourſelf. By your letters of the 18th of July, we find theſe particulars principally intended; firſt you give reaſons why the ſtandard of Ireland ſhould be reduced to the ſtandard of England, and for the ſtay of the proclamation for coin: the other in reſpect of the word ſterling inſerted in the proclamation;

proclamation; adding further, that 8 d. *per diem* Iriſh, is too little for ſoldiers to live on. To all which for the preſent, concerning the nature of the coin, you ſhall underſtand, that though we mean not at this time to give you a determinate anſwer concerning the point of the proclamation; yet we know no cauſe for the union of the ſtandards more at this time, than hath been thought convenient in ſo many ages before; and for the pay, firſt it is ſuch, as this ſtate cannot bear, which hath had ſo little time to reſpire, after the intolerable conſumption by the wars; and which is more, the motion ſeems more unreaſonable, becauſe we take the ſame to be as high as ever it was in time of peace, before the great rebellion began in Munſter, whereof the earl of Deſmond was the principal, to which our labour muſt now be to reduce that ſtate in all things, eſpecially in that kind; whereunto, becauſe the earl of Clanrickard and ſome others, have made a reply, that the ſoldiers might live in thoſe times better upon that pay, becauſe they were alſo allowed ceſſe upon the country; we have made this anſwer to that, that it ſhall not appear, though ceſſe was then uſed before commiſſion, that their ceſſe was enjoined, and pay together at any time, but with a defalcation of ſo much of their pay, as their victualling was rated at. Of which particular, becauſe we could be content to be truly ſatisfied, we pray your lordſhip to take order, that ſome of the table, ſuch as are of beſt experience, may

may be deputed to look into the accounts of former times, and may advertiſe us truly, what they find to be the condition of thoſe payments, for our better ſatisfaction of the truth of thoſe allegations; whereof we think no accounts will better ſatisfy you, than ſome of thoſe which paſſed in the time of Sir Edward Fitton. Concerning the contents of your letter of the 29th of July, and ſome others, which do particularly complain of lack of treaſure, and diſtribution of ſeveral ſums, before that came hither; we pray you firſt to conclude, that it is no neglect from hence that ſtayeth your ſupply, but that neceſſity, with which you muſt a little temporize, until ſome better proviſion may be made, both to clear the juſt debts taken up for the army, and the growing charges; wherein we do acknowledge, that there hath been diſorder committed by the treaſurer's miniſters at this time, in a taking upon them ſome payments unwarranted, for which we have ſharply reproved them; there being no other meaning in any of us, but it ſhould have wholly come over, to be diſtributed there by your knowledge and direction. And for the point itſelf, which you obſerve, namely, the portion of 12000 l. is not anſwerable for the ſtate wherein you ſtand, ſome debts taken up by your own credits preſſing you, to that which the very growing charge itſelf doth ſpend: we can only ſay for the preſent, that your own order of it may in ſome meaſure prevent notorious breach of credit, if

for

for a time you be careful, to pay the debts you have laſt borrowed, and ſo borrow again, till new come over; which courſe will give ſome ſatisfaction to the lenders, when they ſhall ſee care in the ſtate to obſerve promiſes, though you pay one month and borrow another. In which time you might have uſed your own liberty; for although by me the lord treaſurer, you receive direction for employing the treaſure, which is ſent upon growing charges, which I do, becauſe oftentimes debts, or other things, and of ſome old date are paid, it was never my meaning, that any money lent you a month or two before, and only employed upon the army, ſhould not have been in ſome ſuch meaſure ſatisfied by you, as you ſhould have found to ſtand with the honour of your word given in that behalf, of whoſe juſt dealing with men, even now, when the world beholdeth a diminution of the army; we know the obſervation will be more ſubject to exception, than the not payment of the arrearages in the former time, becauſe all men that are wiſe, looking back upon the high expence, will not find it ſtrange, that ſome arrears of thoſe times hang unſatisfied, when they behold how ordinary it is for great armies to receive worſe payments, even under that king, which is thought moſt to overflow in treaſure: of which ſubject, for the preſent, we intend no further to diſcourſe with you, this being only to aſſure you we take care of you, and do ſeriouſly examine and conſider all that cometh

cometh from you. Concerning the proceeding of the ſtate, in ſending forth the mandates by the judges, who deſire to be ſpared till their return from their circuits, for giving their reaſons; we allow it very well that they ſhould take their time, it being ſufficient for us to know that they have done it upon good grounds; becauſe all ſuch proceedings, in matters of religion, want not captious eyes in that kingdom, wherein, becauſe we did ſufficiently let you ſee by our letters, bearing date the 24th of January, with what bounds his majeſty wiſhed you to contain yourſelves, as near as you could; we mean to touch that point no further at this time, ſaving only in anſwer of one part of your letter of the 9th of July, to let you know, that if any motion ſhall be made here for reviving of a high commiſſion, it ſhall appear that his majeſty thinketh the ſame unſeaſonable; and therefore, without order from him, we require you to forbear to give any way unto it. Of the fact done upon thoſe that were ſent to levy the compoſition money in the county of Meath, we hope to hear juſtice done, leſt impunity in ſuch things give animoſities to others to grow to greater inſolencies. But where there is a motion for the drawing of greater aſſiſtance of horſe about the ſtate, if that be as an argument of the encreaſe of new troops, his majeſty no way taſteth it; but if you ſhall offer to eaſe his majeſty's charge in ſome of his foot, or ſome unneceſſary wards, upon certificates from your lordſhip and the council,

council, of that reſolution; we will procure his majeſty's warrant for converting that charge into ſo many more horſe as it will bear. In the mean time, for the diſpoſing of the forces that are there, the whole is referred to your judgment; with the reſt of the care of all things in that kingdom. Concerning the chief baron, as we muſt needs commend your careful ſolicitation of his ſupply, becauſe we ſee therein what eye you have to his majeſty's profit, wherein he muſt be one of the principal inſtruments; ſo we pray you think it hath been out of our care to offer to his majeſty a good choice, that you have not heard ſooner of the reſolution therein, which is now in effect paſſed, as we hope by our next you ſhall underſtand. And thus for concluſion of this long letter, you may aſſure yourſelves that we will haſten away the new treaſurer with all ſpeed poſſible, and with as good a proportion as we can; and both in that, and in all things elſe, not only be careful to give you ſatisfaction according to our duties, in things that are incident to the publick, but even in your own particular, from time to time be ready to repreſent to his majeſty the obſervation we have made; and do of your lordſhip's plain and reſolute courſe for his majeſty's profit to offend others, the return whereof can be not other than a gracious conſideration of you by his majeſty, and whenſoever occaſion ſhall be offered. And thus having hereby taken notice, and returned you ſome anſwer of all your letters, as well to us in

 general,

general, as to ſome of us in particular, we refer you for anſwer to the earl of Clanrickard's inſtructions to ſuch apoſtiles as we have made unto him. And ſo we bid your lordſhip heartily farewel. From Whitehall, the ſecond of September 1606.

Your lordſhip's very loving friends,

Cant. T. Elſemere, canc. T. Dorſett. Nottingham. Suffolk. E. Worceſter. H. Northampton. Saliſbury. Jo. Stanhope.

LETTER XIII.

To our very good lord Sir Arthur Chicheſter, knight, lord deputy of the realm of Ireland.

JAMES R.

AFTER our very hearty commendations to your lordſhip, we have received your anſwer, dated the 10th of May, unto our letters of February laſt, which had reference to former letters of the ſame effect, in the behalf of Sir Thomas Burgh, knight, whereby we ſignify his majeſty's pleaſure, that no extent ſhould go out, or any advantage of forfeiture be taken for any default of payments of ſuch rent as was due to his

his majeſty upon certain land that the ſaid Sir Thomas Burgh held in the right of his wife; by which your anſwer, it ſeemeth, that after good conſideration you were doubtful and in ſuſpence how to proceed, finding yourſelf preſſed on the one ſide with the ordinary courſe of law, and on the other, with that direction from us, and ſignification of his majeſty's pleaſure; by which occaſion we are neceſſarily moved to renew the ſame direction for Sir Thomas Burgh's relief, and for your further ſatisfaction: for albeit, the ordinary courſe of law, not taking notice of any diſpenſation of the rent, proceeded according to the uſual form againſt Sir Thomas Burgh; yet, if Sir Garrett More knew his majeſty's pleaſure, which was ſignified by us, he was much to blame to ſeek that advantage; and whether he did or not, there is no reaſon or equity that he ſhould make uſe of it; for ſeeing upon default of payment, either by negligence or caſualty, the advantage of forfeiture is ſeldom or never taken by his majeſty of the tenant in poſſeſſion, and much leſs in equity, is allowable to any party to whom the king only intended in true conſtruction a ſtate in reverſion; in which kind we have thought meet for your better ſatisfaction, to give for ſome ſpecial precedents, to be ſought of decrees, very adviſedly paſſed here in the chancery, and with this our letter to be ſent unto you, how much more unmeet it is, and againſt both equity and the honour of his majeſty, that where his majeſty

 expreſsly

expreſsly and upon good conſideration intendeth a grace and favour, and the preſent tenant relieth on it, the reverſioner ſhould make the ſame the means to ſupplant and deceive the poſſeſſors. As for the reaſons which Sir Garrett More hath alledged, and ſet down at large in his letter unto us, to juſtify the advantage he hath taken, and to procure the favour to hold it, proteſting and declaring that he hath done it out of conſcience, not for his own gain, but for the benefit and relief of his late brother's children, hardly uſed, as he pretendeth, by Sir Thomas Burgh; and withal mentioning ſome provocations, and as he ſaith, injurious courſes uſed by Sir Thomas Burgh in times paſt towards himſelf: firſt, whether theſe imputations be true or no, we are not now to examine; and ſecondly, howſoever they be, it is not reaſon that his majeſty's favour intended to Sir Thomas Burgh, ſhould be ſo perverted, as to be made either a puniſhment for ſatisfaction of wrong unto others, or a means for Sir Arthur More to ſerve his own turn of revenge, for any injuries to himſelf: and therefore, theſe reaſons being in our opinion very ſufficient, and howſoever the merit of Sir Garrett More may otherwiſe be very good, and ſo we acknowledge it; yet, his majeſty, making, as he doth, ſome difference betwixt Sir Thomas Burgh and him, and a great difference betwixt a reverſioner that would ſeek but the eſtabliſhment of his own, and one that would by his reverſion ſupplant another's

eſtate,

eſtate, as Sir Garrett More hath gotten the advantage by ſtrict courſe of law; ſo it is meet for the king's honour, and agreeable to all equity, that Sir Thomas Burgh, for recovering of his poſſeſſion, have his ſpeedy redreſs and relief there by chancery; for which purpoſe, we do hereby renew the former direction and ſignification of his majeſty's pleaſure, and pray your lordſhip to take order accordingly with all convenient expedition. And ſo we bid your lordſhip heartily farewel. From the court at Greenwich, the day of July, 1606.

Your lordſhip's very loving friends,

R. Cant. T. Elleſmere, canc. T. Dorſett. Nottingham. Gilb. Shrewſbury. E. Worceſter. H. Northampton. Saliſbury. Exeter. E. Zouche. W. Knollys. E. Bruce. Jo. Forteſcue. Jo. Herbert.

LETTER XIV.

To our very good lord Sir Arthur Chicheſter, knight, lord deputy of the realm of Ireland.

JAMES R.

AFTER our hearty commendations to your lordſhip; whereas we have perceived by your lordſhip's letters, with how good conſideration you and the council have proceeded in the examination of the complaint of the O'Feralls, againſt a grant made to the baron of Delvin, wherein although it appeareth that ſome things informed by them are avoided by the lord of Delvin, yet reſorting always to the main ground, we cannot but confirm ſtill, that either his majeſty was not well informed, or elſe the grant there hath varied from his meaning, and exceeded the limits of his majeſty's original letters, which your lordſhip knows ought to be the guide of all that is done on that ſide in things of this nature, in which conſideration, foraſmuch as we have ſeen or heard hitherto, this muſt be the way that can drive this matter to his majeſty's end, who was and ſtill remaineth graciouſly affected to gratify the lord of Delvin, but far from any meaning to have ſo neglected all others whom his grant may concern; and therefore, as we have already perceived that you think fit there ſhould be a reformation of that grant,

grant, ſeeing it can be effected only by one of theſe two means, which are either by finding a juſt exception to it in law, or elſe to deal with him to ſurrender the ſame, and take a new with moderation, for which it ſeemeth he is willing to yield; we do firſt ſend you informations againſt the ſame, whereby it may appear unto him, if they be true, that his grant is voidable, and ſo no wrong done unto him; if he will not yield to reaſon, whereof we deſire your lordſhip ſo to make application, as his majeſty may paſs to the lord of Delvin thoſe things which are reaſonable, without doing that to others to whom his majeſty intendeth no ſuch courſe of ſeverity, as it ſeemeth he would have taken. And thus wiſhing you and ſuch of the council as are beſt acquainted with theſe things, had made a good end, we bid your lordſhip heartily farewel. From Whitehall, the laſt day of Auguſt 1606.

Your lordſhip's very loving friends,

R. Cant. T. Elſemere, canc. T. Dorſett.
Nottingham. Suffolk. E. Worceſter.
H. Northampton. Saliſbury. Jo. Stanhope.

Informations and objections againſt certain particular paſſages contained in the grant to the lord of Delvin from his majeſty, of lands in Ireland.

By the letters patents granted from his majeſty to the lord of Delvin, the tenure of the land being held as of his majeſty's manor of Granard, was altered into a ſoccage tenure, contrary to the effect of his majeſty's letter and direction, there is taken away two hundred marks reſerved by compoſition, and due upon that moiety of the country, which is paſſed in the grant, though the ſame was reſerved in the office, and a particular returned in the behalf of the patents. Linia 5. pag. 6.

By the ſame patents is extinguiſhed ſix cows iſſuing yearly out of the moiety granted by his majeſty in the right of the manor of Granard, though Granard bounds were reſerved in the office and particulars, Linia 5, pag. 6. By the ſame grant his majeſty is deprived of the ſervice of ſix horſe-men and ſixteen foot-men yearly, due to his majeſty. His majeſty is tied by that grant with a clauſe of exoneration from all other but the rent reſerved in the patents. Lin. 28. pag. 29.

His majeſty is bound by this patent, though not warranted by the letter, to grant unto the ſaid lady and lord of Delvin, ſo much land elſewhere as ſhall be recovered from them by this grant *pro rata.* Lin. 37 & 38.

By

By this patent his majeſty and his tenants are defeated of all the rights that ſhall be growing upon all or any the ſaid lands paſſed in their patents.

LETTER XV.

To our very good Lord Sir Arthur Chicheſter, knt. lord deputy of the realm of Ireland, and to our very loving friends the reſt of the council there.

JAMES R.

AFTER our very hearty commendation to your lordſhip and the reſt: Having received a diſpatch by maſter of rolls, and ſeen inſtructions given him, bearing date the eleventh of December, at very great length, containing particularly the report of your proceedings paſt, and requiring further directions in the future, we think it as juſt to give you aſſurance hereby, that his majeſty alloweth that which you have done, as it is reaſonable and neceſſary to ſignify his majeſty's further pleaſure concerning the indictment of the baron of Delvin and the fugitive earls with their accomplices, his majeſty alloweth of the form you uſe to indict them. For the ſettling of the county of Monaghan, wherein you wiſh ſome change of Engliſh rent to Iriſh, differing

differing from the firſt conditions of the plantation, moved thereunto by the poverty and ſpoil of the county, we think it not inconvenient for his majeſty to accord to the ſame in this manner, namely, that they take their patents upon the former reſervation, with a clauſe to anſwer the rent in Iriſh account, during the term of ſeven years. Concerning the county of Fermanagh, perceiving how the ſtate ſtands, they engaged to Connor, now Mc Guire, who continued ſtill a good ſubject in the time of rebellion, for the whole country, wherein he might have complained of wrong in cauſe he had been as forward as other men, being reduced afterwards to one half; his majeſty is graciouſly pleaſed, that you deal therein with him according to your beſt reſolution: but for all other parts which are fallen to the king by O Lennagh, who is now a fugitive traitor, his majeſty looketh that his ſhall be kept undiſpoſed until the ſame be ſurveyed, and ſome project made, in what manner and upon what conditions the ſame may receive diſtribution to ſuch perſons as he ſhall think fit to inhabit it, which being ſent hither by thoſe perſons whom we expect before the beginning of ſummer, his majeſty will fall to ſhort reſolution touching the tranſplanting of the Moores, yet unfiniſhed; and the like courſe to be taken with the O'Connors; you ſhall receive his majeſty's directions here withal. Laſtly, whereas you reſerve in the concluſion of all your articles, to a motion for ſome ſuch portion of treaſure to

lie

lie in depoſits in that kingdom, as may enable you to give entertainment upon the ſudden, to ſuch numbers over and above the eſtabliſhment, as may defend the ſtate againſt foreign attempt or home rebellion; we have no other reply to make unto you for the preſent but this, that we do conceive that this motion cannot proceed from a greatneſs of providence and judgment, and therefore as you are counſellor to that ſtate, we cannot but approve the ſame aſſuring ourſelves you do us the like right to believe that it hath been left undone for lack of reſolution, how fit it were but for want of means to effect it; and therefore in the firſt point, for the ordinary ſupply of the quarterage, if you had known when you writ what ſum was at the ſea ſide, it would have given you better ſatisfaction, for the ſum laſt ſent was ſufficient to pay thoſe forces till the laſt of December, reckoning them to be as many as by the eſtabliſhment they are, which muſt needs ſerve for many days beyond the end of that month, ſeeing the computation was made for the pay of an army from September; we have alſo given order for the like quantity of treaſure to follow, which will be on the way by the firſt of February, wherewith we perſuade ourſelves you ſhall be ſo well furniſhed, as you ſhall feel no lack, conſidering that the credit which you have uſed hath no way been blemiſhed, all bills whatſoever having been orderly paid and ſatisfied which you have conſigned over hither, which is as much as this

this diſpatch will bring you in more certainty concerning theſe matters; ſaving, take this for a certain rule, that we are already in ſome good forwardneſs, even for performance of that other part of ſending you a convenient portion to be depoſited according to your overture, which we had rather you heard to be arrived in that kingdom, than wait till it be gathered. It remaineth now that we ſay ſomething to you concerning our intention to bring either Mc Mahon or O'Cahane to reaſon, if they ſtand out to open contempt; firſt, that as far as may be without diſhonour, you do draw them to obedience by ſhaking the rod over them, rather than by engaging his majeſty's martial power: next, in caſe that fail, and thereby the notoriety of their refuſal give ill example to others, his majeſty is pleaſed you ſhall uſe your diſcretion in ranging them to conformity, by drawing down ſome force upon them. Touching the men ſent out of Northumberland; whereas we underſtand that thirty were preſently ſent back as utterly inſufficient, though if it were ſo it might ſeem ſo much the leſs ſtrange, becauſe they were of a country where no ſuch levy was made before, yet we think meet to let you know, that it likewiſe has been avowed unto us by ſome gentlemen of good credit where the men were levied, that they were very ſerviceable, ſo as we cannot but ſuſpect that there was either ſome change of the men in the way, or elſe that ſome of your officers that took the view

of

of them, did deceive or were deceived; and therefore we deſire you to inform yourſelves well of it. To ſome other particular points of your letter of the ſeventeenth of October laſt, we will take reſpect to make anſwer until our next diſpatch. And ſo we bid your lordſhip very heartly well to fare.

From the court at Whitehall the 24th of January, 1607.

Your lordſhip's very loving friends,

Thomas Elleſmere, can. Thomas Dorſett. Nottingham. Thomas Suffolk. Northampton. Saliſbury. Dunbar. Edward Zouche. Julius Cæſar.

LETTER

LETTER XVI.

To our very good lord Sir Arthur Chichcſter, knight, lord deputy of the realm of Ireland, and to the reſt of the council there.

JAMES R.

AFTER our very hearty commendations to your lordſhip and the reſt, we have of late received from you the copies of divers charters granted by ſundry kings and queens of England his majeſty's progenitors, unto ſeveral cities and towns in the kingdom of Ireland, together with certain ſuits of *quo warranto* and pleadings thereupon, conſidering the cuſtoms; all which his majeſty's learned council in England having by ſpecial commandments adviſedly peruſed and duly conſidered, have given us to underſtand, that in their opinions, the privileges of ſuch towns as have already pleaded, are not only inſufficient in law, but their grants alſo of no validity to give unto them the ſubſidy of tunnage and poundage, which they claim by the ſame: and for thoſe other towns which have not yet pleaded, the charters upon which it ſeemeth their claims muſt be founded, will not ſerve to give the ſubſidy of tunnage and poundage unto you; ſo that it appeareth unto us, that none of them have

have any ground either to free themſelves from paying unto his majeſty the ſaid ſubſidy of tunnage and poundage due by themſelves, nor to enable them to take the ſame from ſtrangers to their own uſe; in regard whereof they having for many years taken and obtained the ſame as their own, it would not be amiſs they be made known they are in arrearages to his majeſty in great ſums of money, which if he ſhould with ſeverity exact, as he may, muſt lie very heavy and burthenſome upon them; nevertheleſs becauſe his majeſty hath a meaning to deal graciouſly with them, and ſo would have them made to underſtand, his majeſty is pleaſed that you ſhould ſummon them together to come before you, and then to let them know the weakneſs of their pretenſions and claims, with this further offer, in caſe they would yield themſelves from henceforward to pay ſubſidies of tunnage and poundage, and refrain the receiving of the cuſtoms of ſtrangers, that his majeſty will be pleaſed to remit and pardon all the paſt concerning the ſame, which gracious offer if they ſhall wilfully contemn, and only ſtand hazard and trial of the law, it ſhall then be fit for them to adviſe themſelves how eaſy it will be unto them when his majeſty ſhall be againſt his will conſtrained to make uſe of that which law and juſtice will afford him. Laſtly, becauſe we hear that it hath been ſpread abroad that his majeſty means to beſtow the benefit of the cuſtoms in that kingdom on ſome of his great ſervants or ſubjects;

ſubjects; we have thought good to let you know, that although his majeſty is to give no account to any what he doth with his own, yet that it is far from his intention to grant the benefit of that which ſhall ariſe by the cuſtoms of a whole kingdom, though his majeſty hath been moved by perſons of great and meaner quality to look into the wrongful detention of that which is due; and therefore we pray you, uſe your beſt means to make the ſame known, not only becauſe ye ſhall ſpeak the truth, but becauſe they that ſhall be willing to yield conformity, may not ſuſpect that they ſhall be left in the power of any ſubject, but only depend upon his majeſty's own pleaſure, nor to be otherwiſe uſed than is fit for merchants in their honeſt trade. In which, when it is ſettled, it ſhall be fit for you to take care that his majeſty's officers be neither ſo remiſs as to ſuffer him to be defrauded, nor ſo ſevere as to uſe any oppreſſion to his people. And where we underſtand that the ſuit upon the *quo warrantoes* is preſently proſecuted by his majeſty's attorney there, againſt theſe towns, we think expedient ſtay be made thereof until you ſhall ſee the effect and event of theſe our letters, that upon our certificate thereof ſome further direction may be given from hence; and not leſs expedient that you ſhould adviſedly conſider of a certain privilege called the Trinity Guilde, which we are informed theſe towns pretend to their own prejudice. And ſo for this time we commit you to God.

God. From the court at Whitehall, the fourteenth of November, 1607.

Your lordſhip's, &c. ever loving Friends.

Elleſmere, canc. Thos. Dorſett. Nottingham.
Suffolk. Worceſter. Northampton.
Saliſbury. Julius Cæſar.

LETTER XVI.

To our very good lord Sir Arthur Chicheſter, knight, lord deputy of the realm of Ireland.

JAMES R.

AFTER our very hearty commendations to your lordſhip. By the letters which we have received, it appeareth what courſe you have taken with the fugitives by indicting them in ſuch a form as yieldeth his majeſty very good ſatisfaction, being done in the face of their own adherents, and the bills found by ſo equal a jury, among which Sir Cahir O'Dohertie is noted to have been forward, and Sir Henry Oge O'Neile, which is a good argument of loyalty. Touching Mc Mahone, we think inconvenient by diſmiſſing him; but for O'Cahan, whom it ſeemeth you have impriſoned, we like

 well

well of the courſe you have taken with him, eſpecially conſidering the corner he dwelleth in, and we allow alſo very well of your purpoſe for placing his ſon in the college.

For the treaſure which ſhould ſerve till the end of March, it is now iſſued forth, and as ſome comings in of money are performed which we expect ſhall be made good, we have nothing more in our deſire than to ſee you furniſhed by anticipation; though until that can be done, we do all our beſt to ſee all your bills ſo well paid here, as we hope you ſhall have the leſs cauſe to complain. And conſidering the report which Mr. Treaſurer hath made of the iſſue of the revenue, allowing it to be no more in ſurpluſſage but three thouſand pounds ſterling, in reſpect of the other ſtanding payments that it beareth, we do acknowledge that his majeſty hath very great cauſe to commend and accept his carriage in that place for many reſpects; and that he aſſureth himſelf the demands he maketh are intended for the good of the ſervice, yet he would be glad to receive from you ſome of thoſe ordinary payments, becauſe, until that, ſome arrears have been directed to him out of the revenue, which may make in the annual computation.

But for the matter of *concordatum*, the charges of the army are ſupported by the eſtabliſhment, we muſt deal plainly with you; we know not why the five thouſand pounds Iriſh, arrived laſt year, ſhould not be ſufficient, or a little

little more, than that ſurpluſſage you ſeek, except you intend ſome of thoſe fortifications which are now in queſtion; ſaving, that we will not hide from you, that in the propoſal of many allowances made even to divers of that table and others, both for there; and either we find too looſe a hand, and in the latter find too ordinary for men that come over for their own private affairs, to be allowed great entertainment by the day only, becauſe at time ſome particular relation or inſtruction is given them for his majeſty's ſervice; which though diſpatched in a ſhort time, yet the remain of their ſtay here is ſtill at his majeſty's charge, ſo as at this time we have forborn, at the requeſt of Mr. Treaſurer, to add four thouſand pounds *per annum*, the quarterly allowance, until the next ſending over of treaſure, and ſome anſwer upon this point. Where you write that ſome of the rents of Tiron and Mc Guire may go to the repairing of the forts, it is a thing that ſhall be moſt agreeable to his majeſty, that the unfortunate kingdom of Ireland might have ſufficient ſtore of milk in her own breaſt to nouriſh her own children: ſo as when we may have any reports what profits will come to the king, what forts you have reſolved to maintain, and what charges ſhall be thought fit to be employed, you may be aſſured you ſhall receive warrant for it; it being all one to the king, if he muſt pay, whether it go out of this exchequer or that exchequer. And being put in mind by this diſcourſe of the forts,

forts, how faſt Loughfoil doth decay, which you know did firſt open the gap for his majeſty's entry with many numbers into the bowels of the northern territories; we think it a kind of juſtice due to that ominous place, to recommend unto you the care and conſideration thereof, and to move you to give to it ſpecially all means you can for the drawing of any profit to it, that a plantation ſo well begun, and with ſo great charge, may not be neglected or abandoned. For that which you have written concerning Delvin, whoſe friends ſeem to inſinuate that he would render himſelf, upon aſſurance of his life, you have done well to keep up his majeſty's honour as you do. We bid your lordſhip, &c. heartily farewel. From Whitehall, the 20th day of November, 1607.

Your lordſhip's very loving friends,

R. Cant. J. Elleſmere, canc. T. Dorſet. Nottingham. Suffolk. E. Worceſter. H. Northampton. Saliſbury. Jo. Stanhope.

The end of the FIRST VOLUME.

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